JOURNALS

of the

HOUSE OF BURGESSES

of Virginia

1761--1765

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Resolved

That the first Adventurers and Settlers of this his Majesties Colony and Dominion brought with them and transmitted to their Posterity and all other his Majesties Subjects since inhabiting in this his Majesties said Colony all the Priviledges, Franchises & Immunities that have at any Time been held, enjoyed & possessed by the People of Great Britain.

That by the two royal Charters granted by King James the first the Colonists aforesaid are declared entitled to all the Priviledges, Liberties & Immunities of Denizens and natural born Subjects to all Intents and Purposes as if they had been abiding and born within the Realm of England.

Resolved.

That the Taxation of the Peoples by themselves or by Persons chosen by themselves to represent them who only know the Taxes the People are able to bear and the easiest Mode of raising them and are equally affected by such Taxes themselves is the distinguishing Characteristick of British Freedom and without which the ancient Constitution cannot subsist.

Resolved That his Majesties liege People of this most ancient Colony have uninterruptedly enjoyed the Right of being thereof governed by their own [illegible] internal Police and that the same hath never been forfeited or any other way yielded up but hath been constantly recognized by the Kings & People of Great Britain.

Resolved Therefore that the General Assembly of this Colony have the only and exclusive Right & Power to lay Taxes & Impositions upon the Inhabitants of this Colony and that every Attempt to vest such Power in any Person or Persons whatsoever other than the General Assembly aforesaid has a manifest Tendency to destroy British American Freedom.

COPY OF THE "STAMP ACT," BEARING THE ENDORSEMENT OF PATRICK HENRY, PENNED AT "RED HILL," THE OLD ESTATE OF THE HENRY FAMILY IN CHARLOTTE COUNTY, VIRGINIA.

JOURNALS

of the

HOUSE *of* BURGESSES

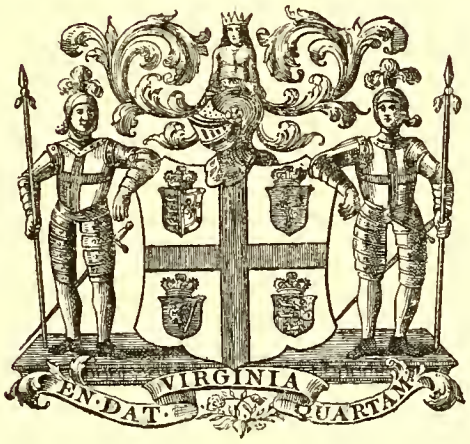
of

VIRGINIA

1761-1765

Edited by

JOHN PENDLETON KENNEDY



RICHMOND, Virginia

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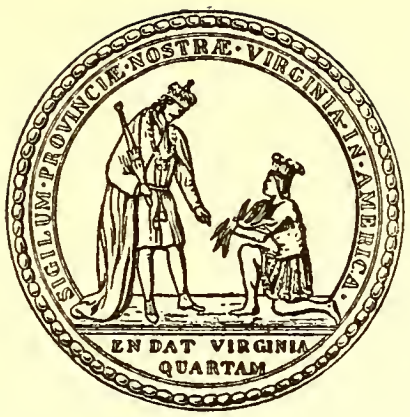

THE new Aſſembly of *Virginia* which convened *November* 3rd, 1761, continued to meet under various prorogations until *June* 1ſt, 1765, when it was diſſolved. During this period the Houſe of Burgeſſes met eight times, though there were only ſeven diſtinct ſeſſions,[1] ſince the *October* meeting of 1764 adjourned to meet on the 1ſt of *May* following.

The Journal of ſeſſion beginning *November* 3rd, 1761 and continuing to the 14th of the ſame month, contains twenty-eight pages, including the title page. A printed copy of this Journal is located in the *Virginia State Library*, while the original manuſcript is on file in the *Britiſh Record Office* in *London*.

The firſt ſeſſion of 1762 convened on *January* 14th and was prorogued on the 21ſt of the ſame month. Two printed copies of this Journal are known to exiſt, though it is not unlikely that others will be found located in private collections. One copy of the Journal in queſtion is in the *Library of Congreſs* and the other in the *Virginia State Library*. In each inſtance the text of theſe copies commences on page three and ends with page fourteen, which would indicate that title pages were printed though not preſerved. The original manuſcript for this and ſucceeding ſeſſions of 1762 contained in this volume are located in the *Public Record Office* in *London*.

The ſecond ſeſſion of 1762 met *March* 30th and was prorogued on the 7th of *April* following. Printed copies of this Journal have no title pages, the text beginning on page three and ending on page ſixteen. The only copy of this Journal known to exiſt in a public inſtitution is in the *Virginia State Library*. In this and other Journals of the ſeſſions of this particular Aſſembly, where the text begins on page three, bibliographers frequently record an erroneous pagination. In this particular inſtance this Journal is ſaid to contain thirteen pages, while in fact the laſt page of the text is ſixteen. This is due, no doubt, to inſufficient bibliographical information being furniſhed ſtudents working on this ſubject.

The third and laſt ſeſſion of 1762 met on *November* 2nd and continued until the 23rd of the following *December*. The only printed copy of this Journal recorded at the preſent time, is in the *Virginia State Library*, and like the preceding ſeſſions the text begins on page three. This copy likewiſe contains no title page though perfect in every other reſpect. The text ends with page one hundred and ſixteen.

But one ſeſſion of the aſſembly was held in 1763. The Burgeſſes met during that year on *May* 19th and were prorogued on the 31ſt of the ſame month. Unlike other Journals of this particular aſſembly the text begins on page one. This would indicate that no title page was printed in this particular inſtance, and the Journal is apparently complete in thirty-one pages of printed matter. Printed copies of this Journal are to be found in the *Library of Congreſs* and in the *Virginia State Library*.

There were two ſeſſions of the aſſembly in 1764, the firſt extending from the 12th of *January* to the 21ſt of the ſame month. The Journal of this ſeſſion evidently had a title page at one time as the text begins on page three. The only printed copy of this Journal known at the preſent time is located in the *Virginia State Library*, and it contains twenty-five pages.

The

[1] The bibliographical information concerning the Journals herein printed, is baſed upon copies located in American libraries only. An effort is now being made to locate additional copies in foreign collections. and when this is accomplihed the copies known to be in the Britiſh Record Office will be liſted.

The ſecond ſeſſion of 1764 convened on *October* 30th and continued in ſeſſion until the 21st of *December* following. So far as is known there is not a complete printed copy of this Journal extant. The copy in the *Virginia State Library* begins on page three and ends on page ſeventy-eight, which carries the ſeſſion through *Thurſday, December* 13th only. There is likewiſe an imperfect copy in the *Library of Congreſs*, which contains eighty-eight pages of printed matter, including the records of the meeting of *December* 18th. That this Journal was publiſhed in full is indicated by a continuous pagination covering this ſeſſion and the ſeſſion which convened on *May* 1ſt, 1765, the copy in queſtion ending on page ſeventy-eight and the ſeſſion of 1765 beginning on page ninety-nine. This would indicate twenty pages miſſing, as the text of all ſeſſions begin on the recto page. It was neceſſary, therefore, to have a tranſcript of this Journal made from the original in the *Britiſh Record Office* in *London*, which not only gives a complete record of this ſeſſion, but determines that it was prorogued on the 21ſt day of *December*, 1764.

The final ſeſſion of this Aſſembly met on *May* 1ſt, 1765 and continued until the firſt of *June* of the ſame year. As noted in the preceding paragraph the paging of this Journal commences with page ninety-nine and ends with page one hundred and fifty-four. There are two printed copies of this Journal in public inſtitutions, one being in the *Virginia State Library*, and the ſecond in the *Library of Congreſs*. The latter copy is reported as being imperfect.

Hening, in his "*Statutes At Large*," records the acts of this ſeſſion of the Aſſembly as paſſed in *October*, 1765. *Stanard*[1] likewiſe aſſumes that two ſeſſions were held during that year. Both are in error, however, as the acts recorded by *Hening* under date of *October*, 1765, were actually paſſed at the *May* ſeſſion of the ſame year. This is atteſted by the Journal of the ſeſſion in queſtion, which ſhows clearly the acts referred to were paſſed at that time. That no ſeſſion of the Aſſembly was held in *October*, 1765, is atteſted by the fact that the new Aſſembly, which followed as the reſult of the diſſolution proclamation of *June* 1ſt 1765, did not take the oath of office until *Thurſday* the ſixth of *November*, 1766.

The great problem of *Virginia* in 1761 was to effect a thorough and complete underſtanding with the various *Indian* nations along the frontier. The *Cherokees* in the South and Southweſt had always been a ſource of great alarm, eſpecially to the promoters of the Weſtward Movement, as were the *Six Nations* who claimed a large portion of what is now *Weſt Virginia*. To bring about complete and ſatiſfactory treaties with theſe *Indians*, was, therefore, not only the deſire of the Mother Country, but an abſolute neceſſity for *Virginians*. The *Carolinas* occupied a ſimilar poſition to that of *Virginia*, and but for co-operation upon the part of theſe colonies, it is doubtful whether the numerous treaties with the *Cherokees* from 1661 to 1772 could have been effected.

After conſiderable diſcuſſion of the plans of procedure, which was calculated to bring about an early and ſatiſfactory peace between the *Indians* and the Colonies, it was determined that *Pennſylvania* and *New Jerſey* ſhould make an effort to treat with the *Six Nations*, while to *Virginia* and the *Carolinas* was left the taſk of bringing the *Cherokees* to terms. This was not an eaſy undertaking, as the tribes in queſtion covered an enormous territory, and poſſeſſed ſeveral thousand warriors.

In order to thoroughly appreciate the extent of the country occupied at various times by the *Cherokees*, it is intereſting to know that in 1693 they inhabited the well watered regions of the *Carolinas*, including the valleys of the *Catawba, Broad, Saluda, Keowee, Tugaloo, Savannah* and the *Cooſa* Rivers, on the Eaſt and South, and various tributaries of the *Tenneſſee* on the North and Weſt. This was practically an unlimited territory at that time, and as no treaties exiſted between any two *Indian* Nations as to their territorial limits, much ſtrife and bloodſhed reſulted. *Charles C. Royce*[2] in his "*Cherokee Nation of Indians*" ſtates " that the *Indians* had no definite and concurrent underſtanding with their ſurrounding ſavage neighbours as to where the poſſeſſions of one left off and thoſe of the other began. The ſtrength of their title to any particular tract of country uſually decreaſed in proportion to the increaſe of the diſtance from their

[1] Virginia Colonial Regiſter, p. 170. [2] Fifth Annual Report, Bureau of Ethnology, p. 140.

their villages; and it commonly followed as a result that a considerable strip of territory between the settlement of two powerful tribes, though claimed by both, was practically considered as neutral ground, and the common hunting ground of both. As has already been stated, the extreme Eastern settlements of the *Cherokees* in *South Carolina* in 1693 were in the district lying between the *Catawba* and *Broad* Rivers, and no claim has been found showing the existence at any time of any assertion of territorial right in their behalf to the East of the former stream. But, nevertheless, on *Bowen's* map of (obviously copied from early maps) there is laid down the name of '*Keowee*' or '*Old Town*.' The location of town was on *Deep* River in the vicinity of the present town of *Ashborough, N. C.* It was a favorite name of the *Cherokees* among their towns, and affords a strong evidence of at least a temporary residence of a portion of the tribe in that vicinity. A map executed by *John Senex* in 1721 defines the *Indian* boundary in this region as following the *Catawba, Wateree* and *Santee* Rivers as far down as the most westerly bend of the latter stream, in the vicinity of the boundary line between *Orangeburg* and *Charlestown* districts, whence it pursued a southwesterly course to the *Edisto* River, which it followed to the sea. The southern portion of this boundary was, of course, a definition of limits between *Carolina* and the Creeks, or rather of certain tribes that formed component parts of the *Creek* Confederacy. No evidence has been discovered tending to show an extension of *Cherokee* limits in a southern direction beyond the point mentioned above on the *Edisto* River, which, as near as can be ascertained, was at the junction of the *North* and *South Edisto*. Following from thence up the *South Edisto* to its source the boundary pursued a southwesterly course, striking the *Savannah* River in the vicinity of the mouth of *Stevens* Creek, and proceeding thence northwardly along the *Savannah*."

"On the borders of *Virginia* and *North Carolina*, the ancient limits of the *Cherokees* seem to be also shrouded in more or less doubt and confusion. In general terms, however, it may be said that after following the *Catawba* River to its source in the *Blue Ridge* the course of those mountains was pursued until their intersection with the continuation of the *Great Iron* Moutain range, near *Floyd* Court House, *Virginia* and thence to the waters of the *Kanawha* or *New* River, whence their claim continued down that stream to the *Ohio*. At a later day they also set up a claim to the country extending from the mouth of the *Kanawha* down the *Ohio* to the ridge dividing the waters of the *Cumberland* from those of the *Tenneffee* at the mouth of those streams, and thence following that ridge to a point northeast of the mouth of the *Duck* River; thence to the mouth of *Duck* River on the *Tenneffee*, and continuing up with the course of the latter river to *Bear* Creek; thence along the said Creek to a point called *Flat Rock*, from there to the Ten Islands in *Coosa* River."

Another account of the possessions of the *Cherokees* is given by *Adair* in his "*American Indians.*" This famous trader traveled for forty years among the *Cherokees*, and as a result of the observations outlines the boundary of their country as it existed in 1750: "The country lies in about 30 degrees north latitude at the distance of 340 computed miles to the northwest of *Charleston*, 140 miles southwest from the *Katawba* Nation, and about 200 miles to the North of the *Muskohge* or *Creek* Country. They are settled nearly in an east and west course about 140 miles in length from the lower towns, where Fort *Prince George* stands, to the late unfortunate Fort *Loudoun*. The natives make two divisions of their country, which they term '*Ayrate*' and '*Otarre*,' the one signifying the 'low' and the other 'mountainous.'"

It will be seen from the boundaries herein given that the portion of the country claimed by the *Cherokees* in 1760, comprised a large part of what is now Southwestern, *Virginia, West Virginia* and *Kentucky*, which the *Six Nations* also claimed by right of conquest. This vast territory gave the *Cherokees* a wide range of influence which enabled them to be the most prominent of frontier factors. This *Virginia* recognized and in considering the acquisition of territory fully realized the power of the enemy, and the magnitude of any undertaking that contemplated subduing them.

The

The *Cherokee* nation as early as 1716, when a cenſus of the *Indian* tribes of the *Carolinas'* was taken, numbered 11,210, of whom 4,000 were warriors. *Adair* alleges that there were 6,000 warriors in 1735, but that three years later ſmall-pox reduced this number fully fifty per cent. No other correct eſtimate of the number of warriors of this tribe ſeems to have been made until about the time of the cloſe of the Revolution, when, as a reſult of their many conflicts with the whites they numbered only 2,300 warriors. It is, therefore, ſafe to preſume that in 1761 there were at leaſt 5,000 fighting men in the *Cherokee* nation, and this force was to be reckoned with by *Virginia* troops, which ſeldom numbered over 1,500 fighting men. Unfortunately for the Colonies the *French* effected a treaty with the *Cherokees* in 1760, which reſulted in a union of forces of the two nations in their war with *Great Britain*. This treaty, however, was of ſhort duration, as Governor *Littleton* of *South Carolina*, recognizing the neceſſity for immediate action, marched againſt the *Indians* and after defeating them concluded a treaty, whereby the *Cherokees* agreed to annul the *Cherokee-French* agreement and pledge their ſupport to *Great Britain*. This action upon the part of *South Carolina* ſaved much bloodſhed along the borders and made poſſible the treaty of *Charles Town* in 1761. By this treaty an agreement was reached, whereby the boundaries between the *Indians* and the Colony of *South Carolina* was declared to be the ſources of the great rivers emptying into the *Atlantic* Ocean.

This ſeries of ſucceſſes cauſed *Virginia* to examine into the condition of its frontier, and arouſed a determination to effect an underſtanding with the *Cherokees* that would inſure peace and contentment to weſtern ſettlers. The troops raiſed by *Virginia* in the Spring of 1761, to act in conjunction with the troops of *North Carolina* under Colonel *Grant* were available for this purpoſe. Governor *Fauquier*, however, was evidently inclined to relieve the Colony of the burden of maintaining a regiment in the time of peace, though in his opening addreſs on *Thurſday*, *November* 3rd 1761, he ſuggeſts that the queſtion of diſbanding the regiment muſt be conſidered by the Aſſembly "as you were the moſt competent Judges of the Condition of the Frontiers." But having received a letter from Sir *Jeffrey Amherſt* directing that the regiment be maintained until peace had been concluded with the *Cherokee Indians*, it was his duty to effect ſuch a reſult as the Colonial Secretary recommended. This plan was agreed to by the Burgeſſes at a time when Colonel *Stephen*, upon whom the command of the regiment had devolved, was camped on *Big Iſland* in the main branch of the *Holſton* River. The preſence of *Virginia* troops at this point had *had* the effect of quieting the *Indians* and giving riſe among them of a general feeling for peace, and had the regiment been diſbanded at that time much diſcontent would have been felt throughout the Colony. Colonel *Stephen* had adviſed Governor *Fauquier*, that various *Indian* chiefs had viſited the camp on *Big Iſland* early in *January* with articles of peace, urging at the ſame time that an agreement be effected between *Virginia* and the *Cherokees*, that would eſtabliſh a firm and friendly basis of underſtanding. Nothing, however, was accompliſhed as the reſult of theſe viſits, though the preſence of troops in cloſe proximity to the *Indian* lands had a ſalutary effect. There was nothing to do, therefore, but to await the reſults of the peace conference then being held in *South Carolina*. *Big Iſland* being an undeſirable location for troops, the governor iſſued orders to Colonel *Stephen* to march to *Stahlnaker's*, where the regiment could be more eaſily reached and provided for than at the camp on the *Holſton*. This order was obeyed and the troops remained at *Stahlnaker's* until Colonel *Stephen* adviſed Governor *Fauquier*, that articles of peace had been ſigned between Governor *Bull* and the chiefs of the *Cherokee* nations, when he was ordered to march to Fort *Lewis* and diſband his regiment. This order being iſſued, the aſſembly was at once called together to be acquainted with the action of the Governor, which it approved ſhortly after convening.

Having reached an underſtanding with the *Cherokees*, which unfortunately proved to be of ſhort duration, Governor *Fauquier* at once turned his attention to the *Six Nations*, he having written to Governor *Hamilton* of *Pennſylvania* ſome months before for information concerning them. In this communication the Governor aſked for a full

account

account of what had paſſed between the king's officers and the *Indians*, in relation to lands weſtward of the *Alleghanies*. Replying, under date of *June* 22nd 1761, Governor *Hamilton* ſet forth in detail ſuch information as he had at his command, and at the ſame time called particular attention to ſuch treaties as had been promulgated from 1758 to 1761. In this letter the fears of the Colony of an upriſing of the *Six Nations* were at once ſet at reſt, the Governor being adviſed that General *Amherſt* had ſatiſfied the *Indians* that no attempt would be made to take away any of their lands:

A NARRATIVE[1] *OF WHAT HATH PASSED BETWEEN THE KING'S GENERALS, GOVERNORS, ETC., AND THE INDIANS: IN RELATION TO LANDS; BEING DESIGNED AS AN ANSWER TO GOVr FAUQUIER'S LETTER OF THE 22 OF JUNE 1761.*

In *October* 1758 Peace was confirmed between His Maj'ty's Subjects, and the *Delawares* and their Allies' the *Miniſinks*, *Mohickons*, *Opies* and other Nations living on the *Suſquehannah*, in the preſence of the Deputies of the *Six Nations*.

In this Treaty the Proprietors of *Pennſylvania* releaſed all the Lands within their province to the Weſtward of the *Allgeheny* hills to the *Indians* of the *Six Nations*, from whom they had before purchaſed them, and ſolemnly engaged "That no white people ſhould make Plantations or Settlements on the Lands to the Weſtward of thoſe Hills."

In *December* 1758 Gen[l] *Forbes* took poſſeſſion of Fort *du Queſne*, but being ſick, he was obliged to depart before the *Indians* could aſſemble to treat with him.

Col. *Bouquet* was left in the Command there, who received the *Indians* and confirmed the Peace made at *Eaſton*, and further expreſſly aſſured them: "That the King did not ſend his Generals to hurt the *Indians*, or to take their lands from them."

In the beginning of *January* 1759, Nine Chiefs of the *Six Nations Shawaneſe* and *Delawares*, with forty of their people living at and in the neighborhood of *Baccaloone* an *Indian* Town near the head of the *Ohio*, came to *Pittſburg*, ſent, as they ſaid on purpoſe to be informed of the Terms of the Peace, which they were told had been made between the *Engliſh* and the *Indians*.

Col. *Mercer* then having the Command at *Pittſburg*, ſent them forward to *Philadelphia*, in order that they might receive an anſwer from Gen[l] *Forbes* but he being ſtill extremely indiſpoſed and unable to receive them, deſired Gov[r] *Denny*, after the *Indians* had made him acquainted with their buſineſs, which was as above ſet forth to return them an anſwer; to lay before them the contents of the late treaty at *Eaſton* and to aſſure them; "That the *Engliſh* had no intention to make Settlements in their Hunting Country beyond the *Allegheny* Hills; unleſs they ſhould be deſired, for the conveniency of the *Indians*, to erect Store houſes in order to eſtabliſh and carry on the Trade."

Theſe Deputies ſtay'd in *Philadelphia* till *April*, when Gen[l] *Amherſt* coming thither on a viſit to M[r] *Forbes*, conferred with them, and with one *Thomas King* an *Oneida* Chief, who had aſſiſted in the Weſtern Campaign, and was lately come from *Pittſburg*, and in thoſe Conferences M[r] *Amherſt* aſſured thoſe Deputies: "That the King's Generals would continue to act up to all the engagements His Maj'ty's ſubjects had entered into with the *Indians*."

Governor *Denny* took an opportunity of communicating to *Thomas King*, the anſwer of Gov[r] *Fauquier* to the enquiries which had been made by the *Six Nations* at *Eaſton* about one *Squeſſatego*, and accompanied it with proper Belts and Strings, and deſired *Thomas King* to deliver all to the Council at *Onandago*.

In *July* 1759 there was a very great meeting of *Indians* at *Pitſburg*, and many of the Chief Men of the *Delawares*, *Shawaneſe* and *Wyondots*, who had powers from the *Chippawas*, *Ottaws*, *Putewatimies*, *Twightwees*, *Cuſcuſkies*,

Kecopes

[1] Bancroft Tranſcripts--Library of Congreſs.

Kecopes, *Spocky's*, and *Muſquakes*, were of the Company. The late Treaty at *Eaſton* had been ſent to thoſe Nations, by a ſolemn deputation from the *Indians* who were preſent at that Treaty.

To which Deputation M^r^ *Poſt* and Cap^n^ *Bull* were joined on the part of the Govern^t^. The Treaty was read and explained to them in their Councils at *Kuſkuſky*, *Sawkung* and *Logſtown*, and thoſe *Indian* Chiefs were now come to confirm it.

General *Forbes*, being dead, and Genl *Stanwix*, who ſucceeded to the Command, not being arrived, Mr *Croghan* Deputy Superintendent of *Indian* affairs under Sir *Wm Johnſon*, was obliged to hold the conferences, in which all the agreements made at *Eaſton*, together with the peace were confirmed and the Article relating to Lands was expreſſly mentioned in theſe words.

CROGHAN'S ADDRESS TO THE SIX NATIONS.

Brethren,

"The complaint which your people, three years ago made to the Gov. of *Pennſylvania* about their Lands, (meaning the lands to the Weſtward of the *Allegheny* Hills) was ſettled at the Treaty of *Eaſton*, and a line ſettled by your people and the *Six Nations* to their ſatiſfaction; and you may depend on it, that your Brethren the *Engliſh* will never violate their engagement; and that the King's General and all the Governors on this continent will ratify and confirm it, in the firſt General meeting you ſhall have with them."

It was further ſaid, that the General was on his way to build a Trading Houſe to ſecure the goods, brought by the *Engliſh* Traders, for the uſe of the *Indians*, from the Inſults of the *French*. And they were aſſured, that as ſoon as the Enemy were driven out of their Country, in which they were deſired to be aſſiſting, the General would depart their Country, after having ſecured our Trade with them and our Brethren to the Weſtward.

In *October* 1759 General *Stanwix* held a Treaty with the *Delawares*, *Shawaneſe*, *Wyondots* and *Six Nations* at *Pittſburg* wherein he made the following ſpeech among others:

ADDRESS OF GENERAL STANWIX TO THE INDIANS.

Brothers.

"No Nation could ever charge the *Engliſh* with a breach of Treaty; every thing relating to the peace made between us has been performed on our parts. The Original draught of the Boundary line ſettled between us and the *Six Nations* at the Treaty at *Eaſton* was delivered to them, and here is a copy ſent by Govr. *Denny* to ſhew to the *Delawares* and *Shawaneſe* to prevent any diſputes hereafter ariſing upon that head." Then he opened the Road to *Pitſburgh:* letting the *Indians* know, that his Maj^ty^ had been at a conſiderable expence to eſtabliſh a Trading Houſe there.

In *April* 1760 Gen. *Amherſt* (by *Frederick Poſt*, then propoſing to go to the *Ohio*) sent the *Indians* there a Meſſage to quiet their minds, which had been much diſturbed on ſome ſtories being propagated among them, as if the *Engliſh* intended to take their lands from them, and ſettle quite up to the *Ohio*. M^r^ *Poſt* being prevented from going, the Meſſage of Genl *Amherſt* was ſent to Genl *Moncton* who then commanded at *Pitſburgh* and was by him delivered to the *Indians* at a great Council in *Auguſt* 1760 in theſe Words:

ADDRESS OF GENERAL MONCTON TO THE INDIANS.

Brethren Kings Captains and Warriours.

"I mean not to take away any of your Lands; but as the neceſſity of His Maj'^ty's^ Service obliges me to take *Poſt*, and build Forts in ſome parts of your

Country

Country, to protect our Trade with you, and prevent the Enemy from taking poſſeſſion of your Lands, and hurting both you and us, as you are ſenſible, that if we do not build Forts the *French* will. In that caſe I aſſure you, that no part whatever of your Lands adjoining the ſaid Forts ſhall be taken from you, nor any of our people be permitted to Hunt or Settle upon them, but they ſhall remain in your abſolute property; and I will even promiſe you ſome preſents as a conſideration for the Lands, where ſuch Forts or Trading Houſes are or may be built. And as it is expenſive & inconvenient for us to carry proviſions for our Warriors, from our ſettlements to thoſe Forts, and alſo to ſupply our Brethren the *Indians*, when they come to ſee us, if, you will lay out a ſpace of ground adjoining every Fort to raiſe Corn, in that caſe, fix yourſelves the limits of that part of your lands ſo appropriated to us, and you will receive ſuch a conſideration for it, as will be agreed between you and us to your ſatiſfaction."

There being no danger of immediate war with the *Six Nations*, the attention of the Governor was directed to the claim of theſe federated tribes to a large territory on the *Greenbrier* and *New* Rivers, which lands were alſo claimed by the *Cherokees*. This condition of affairs the Governor at once communicated to the Board of Trade under date of *Auguſt* 29th 1761. Having made known ſimilar information in *December* 1760, Governor *Fauquier* was at once ordered to convene the Council and conſider the claims of the *Indians* for the territory in queſtion. Not being able to get a quorum in the Council during the ſummer months, Governor *Fauquier* further adviſed the Board of Trade that the meeting would have to be poſtponed until after the meeting of the General Court in *November:*

W'mburgh[1] *Aug. 29th 1761.*

My Lords,

In obedience to your Lordips letter of the 17th Febr-y *which was received by me on the 2nd* June, *I immediately conſulted His Maj'ties Council in relation to the claims of the* Indians *on the Lands* Green Bryar *and* New *River or* Woods *River, which fall into the* Ohio; *the conſideration of this was poſtponed till the General Court in* October, *when all the Members of the Council uſually attend, when all agreements with the* Indians *and all their claims will be enquired into; and in the meantime I was deſired to apply to Gov.r* Hamilton *of* Pennſylvania, *for copies of all treaties and agreements made with the* Indians *inhabiting the Country in the neighborhood of Fort* Pitt, *by Generals* Forbes *and* Stanwix, *while they commanded there, which I have accordingly done; that your Lordips may have all the information and inſight into this affair which we may be capable of giving you And in the mean time no new patents will be granted for thoſe lands, till I receive your Lordips directions thereon. . . .*

I am with the greateſt reſpect

My Lords,

Your Lordips moſt obedient, obliged and devoted ſervant.

FRAN: FAUQUIER.

In the meantime Governor *Hamilton* of *Pennſylvania* was again communicated with and requeſted to furniſh copies of all treaties and agreements with the *Indians* in and around Fort *Pitt*. This he did and ſuch papers as were received were forwarded to the Board of Trade on *November* 30th 1761.

In the communication of Governor *Hamilton*, attention was called to the treaties dating from 1744 and 1752, in conjunction with other letters and data on the ſubject, which was to be uſed by the Home Government in determining the attitude of *Virginia* in the matter in queſtion:

My

[1] Bancroft Tranſcripts--Library of Congreſs.

Wmſburgh[1] Novr 30th 1761.

My Lords,

In obedience to your Lordſps commands ſignified to me in your letter of the 17th Febr-y *1761 received by me on the 2nd* June *following, and immediately after communicated to His Majtys Council, who put off the conſideration thereof till the next general Court when all the Councillors attend (as ſignified by me in a former letter to your R.t Honble Board) I now proceed to give your Lordſps all the information, I have been able to obtain relative to the agreements made with the* Indians *about the ſettlement of Lands.*

On the 14th December *1743 Commiſſions were made out to the Honble* Thomas Lee *Eſqre of His Majtys Council and* Wm Beverly *Eſqre a Member of the Houſe of Burgeſſes, to treat with the* Indians *of the* Six Nations; *and inſtructions were accordingly given them. On the 22nd* June *1744 conferences for a peace were opened at* Lancaſter *under the meditation of Gov.* Thomas *of* Pennſylvania, *our Commiſſer and Commiſſer from* Maryland *being preſent. All theſe proceedings at large have been heretofore ſent to your Lordſps as I am informed, and are now, I imagine among the papers of your Office; but leſt they ſhould not be eaſily come at, I have incloſed to your Lordſps a copy of the Treaty itſelf which is the only material part of thoſe tranſactions; and which I find was ſigned by no leſs than 27 of their* Sachems *& Chief Men.*

In April *1752 Commiſſions and Inſtructions were given to Meſſrs* Joſhua Fry, Lunſford Lomax, *and* James Patten, *to treat with the* Six United Nations *on the River* Ohio, *which proceedings at large were alſo, as I am informed ſent home, to your R.t Honble Board. But the reaſons above-mentioned, have induced me to ſend to your Lordſps a copy of that agreement made the 13th* June *1752 at* Shanapins Town, *and which I find was ſigned by ſeven of their Chiefs.*

Since theſe Tranſactions, this Colony in particular have had no meeting with any Indians *on the affair of lands. The Honble* Peter Randolph, *and* Wm Byrd *Eſqrs were Commiſſioned to go into the* Cherokee *Country to prevail on them to March a number of their Warriors to join His Majtys forces before Fort* du Queſne. *The irregularity of theſe* Indians *in their Marches, and the Revenge taken of their Inſults by our Inhabitants, and the fatal Scalping Law (which I got repealed ſoon after my arrival, foreſeeing and dreading the conſequence) have been, I too much fear, the immediate cauſe of the* Cherokee *War. No mention was made of the ſettlement of Lands, or any complaints made about it in this expedition of Col.* Randolph *and Col.* Byrd.

I have alſo incloſed to your Lordſps a copy of paper I received from Gov.r Hamilton *in my late excurſion to the Northward, which your Lordſps will find very full as to all the late agreements made with the* Indians *by the Commanders of his Maj-tys Forces, and the promiſe and aſſurances given the* Indians *in relation to ſettling on their hunting grounds.*

Theſe papers will I imagine give your Lordſps all the ſatiſfaction you require, but if you ſhould have occaſion for anything further I will immediately on receiving your orders, tranſmit all you Deſire to your Rt Honble Board.

I muſt now obſerve to your Lordſps, that no complaints, have ever been made as I have been informed, and as your Lordſps will ſee by the minutes of the Council which I have incloſed to you, from any Indians *whatever, or any claim made on the lands due Weſtward of this Colony, tho the* Indians *about* Pittſburgh *have I believe made objections to the White people's ſettling on lands to the Weſtward of the* Allegany *Hills. It may not be improper on this occaſion to ſignify to our Lordſps that the Two Proprietors of* Maryland *&* Pennſylvania, *have appointed Commiſſrs to run their diviſion line, which they are now actually about. By the converſation I had with two of thoſe Commiſſrs at* Philadelphia, *I find the proprietor of* Pennſylvania *expects to gain a good deal of the Land always ſuppoſed to be in this province. I was aſked what I ſhould do in that caſe; to which I anſwered it was time enough for the Colony of* Virginia *to interfere when they had run their line the length*

[1] Bancroft Tranſcripts--Library of Congreſs.

length of Maryland *and to the utmoſt extent of their proprietors grant. But I ſubmit it to your Lord*[ſhps] *conſideration, whether it would not be proper for His Maj*'[ty] *to appoint a Commiſſ*[er] *to attend the running of this line, ſo as to aſcertain the Quit Rents to the Crown.*

Applications have been made to me in Council for Patents of Lands on Holſton's *and* Clinche's *Rivers which form part of the waters of the* Miſſiſſippi, *behind the* Cherokee *Country, but all theſe petitions I have poſtponed the conſideration of, till I am informed of His Maj-*'[ty's] *pleaſure relating thereto.*

I am with the greateſt reſpect

My Lords,

Your Lord[ſhps] *moſt obedient and devoted Serv*[t]

FRAN: FAUQUIER.

After due conſideration of the claims of various *Indian* tribes for lands on the *Greenbrier* and *New* Rivers, it was determined that no action ſhould be taken by *Virginia* at that time. This reſulted in the matter coming up for conſideration at various times until the treaties of *Hard Labor* and Fort *Stanwix*[1] became effective. By theſe agreements all claims ſet forth by the *Indians* to the territory in diſpute were at an end, and *Virginia* had no further dealings with either the *Six Nations* or the *Cherokees*, whereby territory was acquired, except in 1772 when a large tract of land in what is now ſouthweſt *Virginia*, *Weſt Virginia* and eaſt *Kentucky* was acquired, and again in 1775 when the laſt tract, now lying in *Kentucky*, *Virginia* and *Tenneſſee*, was purchaſed.

Having thus effectively dealt with the *Indian* queſtion, it was hoped that a general peace could be maintained throughout the Colonies. This condition of affairs, however, was deſtined to be of ſhort duration, as war had already been declared by *Great Britain* againſt *Spain*. This act upon the part of *Great Britain*, gave riſe to the queſtion of whether or not *Virginia* would be willing to raiſe a new regiment, ſince the old one which had been the pride of the colony, was diſbanded againſt the wiſhes of the people. The uncertainty of the action upon the part of the Aſſembly had been expreſſed by Governor *Fauquier* in various letters to the Lords of Trade, he maintaining that there was every reaſon to believe that great difficulty would be encountered in bringing about ſuch a reſult. In his opening addreſs to the Houſe of Burgeſſes on *Tueſday, March* 30th, 1762, he ſet forth in detail the neceſſity for concerted action upon the part of the Colonies, and made a formal demand in the name of the Crown for a *Virginia* regiment, to be incorporated into the regiment on the "British Capitol Eſtabliſhments now in America." The following day the Houſe of Burgeſſes, in reply to the Governor's addreſs, made it at once apparent that there would be no difficulty encountered in getting ſatiſfactory legiſlation through that body. In the Council, however, a different condition of affairs exiſted, four gentlemen of that body maintaining that it would be impoſſible to defray the expenſes of a regiment without the uſe of paper currency. This at once gave riſe to a renewed effort to again emit paper money, which privilege had been denied the Colony by Parliament. It was maintained that the exiſtence of war was a ſufficient reaſon for iſſuing this grade of currency, which in time of peace was not thought to be eſſential to the progreſs of the Colony. So it was when the matter came to an actual vote in the Council, the meaſure creating the regiment was only carried by a ſingle vote. The bill[2] was finally paſſed, however, and provided for recruiting 1,000 men and appropriated 30,000 pounds to pay and clothe them. This amount was raiſed by a tax of one ſhilling on every tithable perſon in the colony. Governor *Fauquier* in his communication of *April* 8th 1762 to the Board of Trade, ſet forth the various circumſtances ſurrounding the paſſage of the Regiment Act, he maintaining that the paper money queſtion was a mere pretenſe, though it was a plauſible argument againſt the bill:

Williamſburgh[3] *Apr: 8. 1762.*

My Lords,

It is with the greateſt ſatiſfaction I am able to inform your R[t] *Hon*[ble] *Board that*

[1] Journals Houſe of Burgeſſes, 1766-1769, p. xxvi
[2] Hening, Vol. VII, p. 494.
[3] Bancroft Tranſcripts--Library of Congreſs.

that the doubts expreſſed in my letter of 24, Febr *ſent by Captn* Adams *in His Maj-'ty's ſhip* Diana, *in relation to the Aſſembly's raiſing a new Regiment after diſbanding the old one, were ill founded; for to the honour of this Colony, the Aſſembly which I called on the receipt of His Maj-'ty's requiſitions made known to me by his Secretary of State, no ſooner met than the Burgeſſes immediately voted a Regiment of 1,000 Men beſides the quota demanded of them by Sir* Jeffery Amherſt *to recruit the Regiments on the* Britiſh *eſtabliſhment now in* America. *This almoſt unexpected conduct of His Maj-'ty's moſt loyal and dutiful ſubjects of the Colony and Dominion of* Virginia, *I make no doubt will be repreſented by your Lordſps to His Maj-'ty and his Miniſtry in the favorable light which it really deſerves. I paſſed an Act yeſterday for this purpoſe and then, prorogued the Aſſembly, which act I ſhall tranſmit to your Lordſps as ſoon as I can get it out of the office fairly tranſcribed.*

The Bill paſſed in the houſe of Burgeſſes by ſo great a majority as 66 againſt 3, but it met with great difficulties (which your Lordſps would not expect) in its paſſage thro' the Council, where it paſſed by one voice only vizt 5 agſt 4. When the Bill was ready for the Council, there were but ſix Councillors in Town, who, I was informed were ſuppoſed to be equally divided in opinion; if ſo, the Bill muſt have drop't for want of a majority to carry it. I therefore deſired the Speaker to ſtop the Bill in his Houſe till I could ſummon the Gentlemen of the Council who were in the Colony to attend, which I did accordingly, and by that means I am of opinion I carryed the Bill. The difficulty with the Council lay about a new Emiſſion of paper money neceſſary to ſupply me for the recruiting ſervice, which the four Gentlemen who were againſt the Bill made a foundation for a proteſt a copy of which I ſhall ſend to your Lordſps with the Act.

For ſome reaſons which appeared to me, I think the paper money was a pretence, as it was a plauſible argument againſt the Bill, and that they would have oppoſed it at any rate; for the three Gentlemen who puſhed me to diſband the Regiment before I received his Maj'ty's requiſitions, and even before I had that notice from Govr Boone, *which the Burgeſſes had addreſſed me to procure (to withſtand which meaſure, I was obliged to have recourſe to all my firmneſs) were the ſame who joined in this proteſt; truſting that if they could once get the Regiment diſbanded, the Country would not conſent to the raiſing of a new one. But in this their expectations were fruſtrated, to the credit of the Colony. When your Lordſps conſider their addreſs at the opening this ſeſſion, I am inclined to think that your Lordſps will be induced to be of my opinion; and when this is joined to the ſtruggle they made, that I ſhould immediately diſband the Regiment at the cloſe of the laſt Seſſion, it almoſt puts it beyond doubt.*

It is neceſſary for me to obſerve to your Lordſps that on this occaſion, I have ſtretched my influence to the utmoſt pitch, and poſſibly the great earneſtneſs which appeared in my whole behavior, might have induced ſome Gentlemen, who have always ſhewn great regard to me to vote for the Regiment. What I would infer from this is, that attempts of this nature will generally fail of ſucceſs, when they come to be repeated; therefore, I hope, I ſhall not have occaſion to try it again; for, tho' I can promiſe for myſelf, that my zeal for His Majeſty's ſervice ſhall never fail, I cannot promiſe for others that it ſhall have the ſame happy effect.

I incloſe to your Lordſps a Duplicate of the paper I recd from Govr Hamilton, *which I had not by me when I have the honor to ſend the other Duplicates to your Right Honble Board.*

I am with the greateſt reſpect

My Lords

Your Lordſps moſt obedient and obliged humble ſervant.

FRAN: FAUQUIER

The

The war with *Spain* being practically over when the *November* Assembly convened, the Governor argued that the regiment created by the preceding assembly be maintained as a matter of prudence. To this suggestion the Assembly agreed, the regiment remaining at *Stahlnaker's* until the first day of *May* 1763, when it was to be marched to Fort *Lewis*, in the County of *Augusta*, and disbanded. *Indian* matters, however, continued to engage the attention of the Colony, and various delegations from the *Cherokee* Nation visited *Williamsburg* from time to time. It was evident that a feeling of dissatisfaction prevailed among the *Indians*, which finally resulted in much bloodshed, and was not fully and satisfactorily settled until the treaty at *Hard Labor*, in *South Carolina*, on *October* 13th 1768. At this time a large section of land, what is now southwest *Virginia*, *Kentucky* and *West Virginia*, was ceded to *Virginia*, which, in conjunction with the treaty at Fort *Stanwix* on *November* 5th 1768, established the claim of the Colony to the territory extending from the *Alleghany* mountains to the *Ohio* River.

Governor *Fauquier* in his communication to the Board of Trade under date of *May* 1st 1762, calls particular attention to the visit of one of the various delegations which journeyed to *Williamsburg* that year. It is apparent from the tenor of this communication, that some doubt existed in the mind of the Governor as to the result to be derived from such an intercourse with the *Indians*, though every precaution was taken to please them and their ideas were carefully considered:

Wmsburgh[1] May 1, 1762.

My Lords.

In the letter I had the honor to write to your Lordships of the 16th ult° I misinformed you as to the name of the Chief Warrior of the Cherokees *who was on the Road to this place, for on his arrival, I found it was not* Conogotocko *who is old, but their Chief Warrior* Skiagusta Oconesta, *who came here to confirm the peace lately concluded between his Majty's subjects and their Nation. This Chief is a man of great influence among them being reputed the boldest warrior of the Nation, and a Man of Integrity, not talking, as they express themselves with a double tongue. He and the* Little Carpenter *have usually been heads of different parties, and was for that reason one of the last who acceded to the Treaty, tho' he has been the foremost to treat our prisoners with humanity, and to release them. By the Belts of White Wampum, his talk, and his whole manner, he appears to me, to be more to be depended upon than his antagonist, though he has not his parts, nor such command of words. As the* Little Carpenter *had formerly been in* England, *he most earnestly solicited me and the Council that he might have permission to go to* England *to see the great King his Father, and judge whether the* Little Carpenter *had not told them lies, on whose veracity I found he did not much depend. On deliberating upon this, it was the advice of His Majty's Council, that I should represent the inconveniences and dangers he would be exposed to on the sea, by the Enemy and by distempers in* Europe. *This precaution was taken lest any accident befalling him might inflate his people imagining it might be done by Treachery. In the presence of many of his followers he heard this, & persisted in his resolution of going if he might be permitted. The Council conceiving it might be of very great utility to the Colonies, for him to be personally informed of the number of our people the Grandeur of our King and the great Warlike powers we had at Command, by which they were more likely to be kept in order by us, than if they were ignorant of our strength, advised me to send him and to supply to Captn* Blake *of His Majty's Sloop* L'Epreuve *now ready to sail with a few ships under his convoy to take him on board, which he very readily consented to do. I have accordingly put him, two of his followers and a faithful Interpreter on board Captn* Blake's *Sloop, to be transported to* England.

I am conscious, My Lords, that such guests are troublesome to His Majty's Ministers, but it appears to me to be of so much moment to the peace and interest of the Colonies, that I hope I shall stand excused for having taken this step. The Indians

[1] Bancroft Transcripts--Library of Congress.

Indians *will be accompanyed by Mr* Timberlake *an Enfign in our Regiment, who has been in the* Cherokee *Over Hill Towns, and is much refpected by the* Indians; *he went from our Camp down* Holfton's *River and up the* Ianaffee, *and has found it navigable for Batteaus which draw 10 or 12 inches water, all the way, by which we find, that we have a good convenience for Men Stores or Merchandize into the very heart of their Country. He has made a draught of the courfes & bearings of the River, a fair copy of which is by my order preparing for Sir* Jeffery Amherft.

It may be proper to inform your Lordfips that my conduct towards thefe and all other Indians *has varied a little from that of my predeceffors. I have never courted them fo much, but have always behaved to them with the utmoft good faith; and in my conferences, with great firmnefs and an affected fuperiority as the Governor of a great King; which feems to me to have the effect I propofes from fuch a Conduct. This very Man was here in Govr* Dinwiddie's *time much careffed and courted, having the Govr's Coach to attend him and his Squah; but this treatment he has not received from me, yet I apprehend, I am as much in his good eſteem as the late Governor was.*

I am with the greateft refpect
My Lords,
Your Lordfips moft obedient & devoted fervant
FRAN: FAUQUIER.

That a feeling of unreft exifted upon the part of the officials at *Williamfburg* was clearly eſtabliſhed early in 1764, when the Home Government determined to fubdue the Northern *Indians*, who had been conftantly haraffing the border fettlements during the preceding year. Sir *Jeffrey Amherft* in adviſing Governor *Fauquier* of this intention upon the part of the Crown, directed him to require the Colony to form a regiment of 500 men to act in concert with His Majeſty's forces in this campaign. He maintained that the weſtern border of *Virginia* was being haraſſed, and that a vaſt ſection of land which now compriſes the State of *Weſt Virginia*, was not only claimed by the *Six Nations*, but alſo by the *Cherokees*, and that the time had arrived for *Virginia* to aſſert its rights and effect a permanent underſtanding as to the ownerſhip of the lands in queſtion. Upon receipt of this letter the Governor at once called the Aſſembly to meet on *January* 12th 1764, at which time he made known the demands of *Great Britain* and requeſted immediate action in the matter. The aſſembly, however, failed to comply with this requeſt and adjourned after being in ſeſſion only nine days. The reaſons for not carrying the wiſhes of the Crown into effect are ſet forth in the following addreſs[1] of the Burgeſſes to the Governor, in reply to his opening ſtatement on the condition of affairs in the Colony:

Sir,

Having conſidered with ſerious Attention that Part of your Honour's Speech, enforcing the Requiſition of his Excellency General *Amherſt*, repeated by the Honourable Major General *Gage*, we are concerned to find that Meaſures ſo wiſely calculated to ſtop the Progreſs of thoſe Cruelties practiſed by our ſavage Enemies on the Frontiers of this and the other Colonies cannot receive Aid from us, under our preſent Circumſtances.

The difficulty of raiſing Men to aſſiſt the common Cauſe during the late War made it expedient to diſpoſe of large Bounties to encourage their entering into the Service, which, with the Expenſe of ſubſiſting them, involved us in the diſagreeable Neceſſity of emitting Treaſury Notes, to circulate for a limited Time in Lieu of ready Money, of which none could at that Time be obtained.

Troops now to be raiſed would expect the like Bounty, and be attended with the like Expenſe; and as we cannot purſue the former Method of providing for them without raiſing the Clamours of the *Britiſh* Merchants trading to this Colony, and thereby incurring miniſterial Cenſure, we are compelled, from the Neceſſity of the Caſe, to decline a Meaſure that would otherwiſe have met with our Approbation and Aſſiſtance.

This

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This, Sir, obliges us to reſt the Defence of the Frontiers upon our Militia; which, under your Honour's wiſe Direction, we have reaſon to hope, from the Experience of laſt Summer, will prove effectual.

On *Feb.* 15th 1764, Governor *Fauquier* communicated the deciſion of the Burgeſſes to the Board of Trade, and ſtated that the ſeſſion had proved of little importance, and that only a few acts of minor note had been paſſed:

Wmſburgh[1] Febry 15. 1764.

My Lords,

Soon after my arrival in this Colony from aſſiſting at the Congreſs held at Auguſta *in* Georgia *with the Southern* Indians, *by His Maj'ty's Commands, I rec'd a letter from Sir* Jeffrey Amherſt *requiring 500 Men from this Colony to Act in concert with His Majeſties forces on the* Britiſh *Eſtabliſhment, to bring the Northern* Indians *to reaſon, who were become extremely troubleſome to His Maj'ty's ſubjects of this and the neighboring Colonies. This requiſition was repeated by the Honble Major Genl* Gage. *On the receipt of theſe letters, by the advice of His Maj'ty's Council, I called an aſſembly to meet on the 12th* Janry, *who after ſitting nine days broke up without complying with the requiſition, and entering into the meaſures propoſed to them by the Commander in Chief of His Maj'ty's forces. On the ſeventh day of their ſeſſion, the Houſe of Burgeſſes preſented an addreſs to me giving their reaſon why they did not think it adviſable for them in the preſent ſituation of their affairs to enter into this meaſure. This addreſs together with my ſpeech at the opening the ſeſſion and the addreſs of the Council and Burgeſſes upon it I have the honor to encloſe to your Lordips. They paſſed ſome Acts, but none of any great importance which I ſhall tranſmit to your Lordips as ſoon as tranſcribed.*

It was agreed among the Governors for His Maj'ty before we parted at Auguſta, *that the conferences and Treaty ſhould be printed, this was done at* Charles Town. *I have not yet received any copies tho' I have expected them for ſome days, as ſoon as they arrive I will do myſelf the honor to tranſmit a copy to your Rt Honble Board.*

I am with the greateſt Reſpect, My Lords

Your Lordips moſt obedient & devoted Servant.

FRAN: FAUQUIER.

Again on *July* 23rd 1764, the Governor adviſed the Board of Trade that the *Indians* were becoming very troubleſome to the inhabitants on the frontier. He alſo called attention to the fact that the reception given the *Cherokee* delegation when in *England*, had cauſed others to ſeek to indulge in the ſame pleaſures, and that he had referred thoſe applying for this privilege to *John Stuart*, Supt. of *Indian* affairs of the Southern district;

Wmſburgh[1] July 23rd 1764.

My Lords.

I am ſorry to inform your Lordſhips that the Indians *continue to be very troubleſome to the inhabitants on our frontiers, tho' we have a large body of militia (the only forces the Aſſembly would allow me to employ) out on ſervice to protect them and annoy the enemy wherever they appear. The reception given to the* Cherokees *who were laſt in* England *has incited ſome others of the Nation to apply to me for a liberty to gratify their curioſity, and make themſelves of more conſequence to their Nation by ſo doing. But as I ſaw no immediate occaſion for troubling His Majeſty's Miniſters with a ſecond viſit from gueſts of that ſort, I have put them by, and told them on all occaſions in which their buſineſs did not immediately concern the Colony under my government, they muſt apply to Mr* Stewart *whom His Majeſty had appointed Superintendent of Indian Affairs for ſuch purpoſes. . . .*

I have nothing further to trouble your Lordſhips with but that I am with great

reſpect

[1] Bancroft Tranſcripts--Library of Congreſs.

reſpect

My Lords

Your Lordſhips moſt obed.t obliged and devoted Serv.t

FRAN: FAUQUIER.

Stuart refuſing the requeſt of the *Indians* to viſit *England*, cauſed no uncertain degree of diſcontent among the *Cherokees* on the, *Virginia* border. This condition of affairs, aſſociated with the murder of ſeveral *Indians* in *Auguſta* County early in 1765, nearly reſulted in an upriſing of the *Cherokees*, and but for the timely efforts of Colonel *Lewis* war would have certainly reſulted. The circumſtances ſurrounding the killing of theſe *Indians*, is ſet forth in a clear manner in a letter from Colonel *Lewis* to Governor *Fauquier*, dated *Auguſta* County, *May* 9th 1765. In this communication the Governor was adviſed that a party of friendly *Indians* en route to *Winchester* were attacked by the whites and maſſacred. He further adviſed the Governor that he would make every effort poſſible to prevent an upriſing and that juſtice would follow when the murderers were brought to trial:

Augusta County,[1] *May the* 9th 1765.

Honble Sir,

Yeſterday a very unhappy affair was tranſacted near Staunton, *which may, if not timely guarded againſt, prove very fatal to this Colony. On the fifth of this inſtant a party of* Cherokees *came from our frontiers to* Staunton, *ſome of them I was perfectly acquainted with; they gave me to underſtand that they were deſigned for* Winchester *and would be glad of a paſs, as they were from thence to go to war againſt the* Ohio Indians, *and was to meet ſome other warriors beyond Fort* Cumberland. *The want of an Interpreter prevented my making them ſenſible that their travelling thro' our country, even with a paſs, where they might not be known, would be attended with danger on their part. However on finding them determined to go, after they had refreſhed themſelves two nights, they were provided with proper colours and a paſs. There was ten in number their two principal men's names was* Nocoknowa *and* Choconantee. *They marched about five miles and lodged in an outhouſe on the plantation of one* John Anderſons. *Yeſterday morning as ſoon as it was light a party of villianous bloody minded raſcals, notwithſtanding they knew they were* Cherokees *and had a paſs, attacked them in the moſt treacherous manner, killed their Chief and four more on the ſpot, and wounded two more. The five poor creatures that made their eſcape has taken the woods and will undoubtedly reach their Nations as quick as poſſible they can, or at leaſt ſome of them will get home. In order to quiet the Chiefs of the* Cherokees *and if poſſible to reſtrain the whole Nation from taking ſatiſfaction at their own hands I have wrote to the Chiefs of the Over Hill Towns, from whence this party came, and has ſent it to the hand of Col.* Chiſwell, *deſiring him to find means of ſending it as quick as poſſible. In my letter to their Chiefs, I have endeavoured to perſuade them that your Honour will undoubtedly take every juſt means to give them ſatiſfaction by ordering the murderers to be apprehended and put to death, and deſire them to take no raſh ſteps, as they may be aſſured your Honour will looſe no time in writing to them by expreſs.*

From what I can learn the number of the villians that committed this murder is between 20 and 30; the names of the two ringleaders is William Cunningham *and* John King; *one of the party was wounded by an arrow, to wit* James Clendening; *he was taken & afterwards reſcued by the others before he reached the gaol. No doubt but it will be your Honour's pleaſure that thoſe fellows may be brought to juſtice, and will ſend me inſtructions what ſteps to take, with warrants ſigned by your Honour. Incloſed you have a copy of the letter I ſent to the Chiefs of the Over Hill Towns.*

I am,

Your Honours moſt obedt

& very hum. Servt

ANDw LEWIS.

Replying

[1] Bancroft Tranſcripts--Library of Congreſs.

Replying to this communication five days later, Governor *Fauquier* ſtated that he had laid the matter before the Council and the Houſe of Burgeſſes, which were then in ſeſſion, and that immediate ſteps would be taken to make amends for the action of the *Auguſt* militia:

Williamſburg[1] *May 14th 1765.*

Sir

Your meſſenger which brought your letters containing the melancholy account of the barbarous attack on the Cherokee Indians *arrived here yeſterday. I immediately laid them before the Council and the Houſe of Burgeſſes who were then ſitting. You can better conceive than I deſcribe the ſhock they received at the news, and the abhorrence and deteſtation they expreſſed of ſo inhuman an action. They dread bad conſequences and have taken all poſſible meaſures in their power to avert them. If this is the conduct of your young men, with what face can they complain of* Indians *who are more than* Indians *themſelves? Can they produce greater inſtances of brutality and perfidy among the moſt barbarous Nations? Yet I imagine if any* Indians *ſhould appear on our frontiers they would be among the firſt to call for protection, and by militia to put this Colony to the expence of twenty or thirty thouſand pounds to defend them. I would aſk themſelves whether they deſerve protection? and if hereafter they ſhould be left to fight their own quarrels with the* Indians *without the lower parts of the Colony interfering in their diſputes, they have no one to blame but themſelves. I wiſh your County were made ſenſible of the riſque they run of loſing their property if not their lives by following and permitting theſe atrocious practices. But it is time to quit the diſagreeable part of this affair, and ſee what is to be done to ſtop the impending dangers which threaten us. The prudent meaſures you have already taken meet with an univerſal approbation and you are hereby required to uſe your utmoſt endeavors yourſelf and ſpirit up all the other Magiſtrates to uſe theirs, to apprehend the reſt of theſe villians, and when an examining Court (as the law directs) has been held upon them, to raiſe and arm as many men as you can ſafely depend upon, and as are neceſſary to eſcorte them down to this gaol, to prevent a riſque. By the Proclamations I have ſent you (which you muſt diſperſe) and by the Reſolve of the Houſe of Burgeſſes, you ſee how much the country is in earneſt to apprehend theſe cruel, and I may add, cowardly murderers. I have ſent for* Abraham Smith *whom I deſign to ſend expreſs into the* Cherokee *Country with a letter to their Chiefs, and ſeveral of the Proclamations, to convince them, if poſſible, that I am taking every ſtep to bring the criminals to juſtice, and to give them ſatiſfaction. God grant the endeavors of myſelf and the body of the country may have the deſired good effect. I further deſire you will ſpeak to Mr* Silas Hart *the preſent High Sheriff, & let him know that it is my earneſt deſire that he would himſelf impannel a jury to try theſe Criminals, out of the Gentlemen of the County which are moſt diſtinguiſhed by their property knowledge impartiality and integrity; and not leave it to the Under Sherif, who may probably ſummon ignorant men who have little or no property to loſe, and of courſe have leſs reaſon to dread as they have leſs ability to foreſee conſequences. I have only to add that I have nothing more to wiſh for from you than the continuance of that zeal which you have exerted on this occaſion, and for which I am much obliged to you. I am*

Your humble Servant

FRAN: FAUQUIER.

After forwarding his letter to Colonel *Lewis*, the Governor at once communicated with the *Cherokees*, announcing at the ſame time the regret expreſſed by the authorities at *Williamſburg* upon being adviſed of the murders in *Auguſta*, and ſtating that Colonel *Lewis* would at once take ſuch ſteps as were neceſſary to bring about a ſatiſfactory ending of the unfortunate affairs:

My

1 Bancroft Tranſcripts--Library of Congreſs.

Wmſburgh May 16, 1765.

My Dear Friends and Brothers.

I have the melancholy news to tell you which grieves me to the heart, having the ſame concern for what happens to my brothers the Cherokees *as for the white men under my government. I have been informed by one of my great Captains Colonel* Andrew Lewis *whom many of you know; that ten of your Nation after being kindly entertained by him as brothers for two nights, were moſt barbarouſly ſet upon by a much larger number of our young men, who, contrary to the laws of this country and the treaties of friendſhip ſubſiſting between us, have killed five of your people. Col.* Lewis *tells me he has already ſent a meſſenger into your Towns to inform you of this diſmal affair. He has already taken two of the murderers and is endeavoring to take the reſt. When his letters came to me our Aſſembly of wiſe men were ſitting, who ſhew their abhorrence and deteſtation of this action by the Reſolutions they came to, and the Proclamation they deſired me to iſſue, copies of which I herewith ſend you, that you may ſee what part this country takes in your cauſe. The great rewards offered in the Proclamation will I hope be a means of taking the reſt of the criminals or at leaſt many of them. It is the command of the great King* George, *and it is my ſincere wiſh and deſire, that we ſhould live in perpetual friendſhip with our brothers the* Cherokees. *And when you cooly conſider the ſteps I have taken in this affair, I hope you will be fully convinced that it has been owing to the ardor of ſome hot headed inconſiderate young men whom yourſelves own you cannot ſometimes reſtrain from miſchief, and not to any countenance or incouragement given them by me or any body in authority under me. Your people were kindly entertained by my great warrior Col.* Lewis. *He gave them a paſs and colours to march through the country as brothers and friends. When he was informed of the murders he went to bewail his beloved brothers. He apprehended two of the criminals. He was the firſt to give you information of this unhappy affair. We have taken the fault wholly on ourſelves and have not charged the* Cherokees *with any ſhare in it. I have iſſued a Proclamation offering great rewards for taking the reſt of the offenders, being willing to give my Brothers all the ſatiſfaction in my power. Are not theſe the actions of friends who deſire to live in peace? And I hereby promiſe to do you the ſtricteſt juſtice on the offenders, in the ſame manner exactly as if they had killed white men.*

Having in this open candid and friendly manner ſet the whole affair before you without concealing or diſguiſing any part of the truth; I hope the cool wiſe men of your Nation will act in the ſame manner and reſtrain their young men from taking any revenge, till further events convince them of the ſincerity of our intentions to do them juſtice and give them full ſatiſfaction for the injuries done you. I hope you will take pains to keep the path clean between our people and your Nation, that meſſengers may paſs freely and ſafely between us that we may jointly uſe our endeavours to prevent an effuſion of blood between brothers. I ſhall ſend two copies of this letter by different meſſengers into your Nation, being deſirous you ſhould receive one as ſoon as poſſible, to convince you of my good intentions to you, who has never yet deceived you.

I ſhall now take my leave of you with wiſhing that the chain may be held faſt by both and kept bright as long as the ſun ſhall ſhine or the rivers run.

Given under my Hand and Seal the ſixteenth day of May, *one thouſand ſeven hundred and ſixty five.*

FRAN: FAUQUIER.

On *May* 26th 1765, the Governor adviſed the Board of Trade of the information forwarded him by Colonel *Lewis*, and ſtated that he feared that the people on the frontier of *Virginia* were more anxious for war than for peace, he believing that the increaſed pay to militiamen was a direct reſult of the border troubles of the time. Furthermore he

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1 Bancroft Tranſcripts--Library of Congreſs

he recommended to the aſſembly that they repeal the clauſe in the Militia Act that augmented the pay of ſoldiers, and that until this was effected, one of the ſtrongeſt forces in favor of war with the *Indians* would remain in full force and effect.

In the meanwhile Colonel *Lewis* was exerting every effort at his command to apprehend the murderers of the *Indians*, and after having ſucceeded in arreſting three of them, one was reſcued and two given their freedom by the jailor, in whoſe cuſtody they were entruſted. This information Colonel *Lewis* conveyed to the Governor on *June* 3rd 1765:

Auguſta County,[1] *June ye 3rd 1765.*

Sir,

In my laſt letters to your Honor I mentioned the taking of James Clendening *and* Patrick Duffy, *two of the murderers of the* Cherokees. Clendening *was reſqued before he reached the priſon.* Duffy *was in priſon three nights; on the 4th a number (as is believed by the Gaoler and ſome others) not leſs than one hundred armed men poſted themſelves round the priſon, ſome of them entered the houſe of the gaoler and demanded the key of the priſon; it being refuſed them, they, after uſing ſome violence and many threats, with axes broke the Priſon door and carried off the ſaid* Duffy, *declaring at the ſame time that they had moſt of the County to back them, and that they would never ſuffer a man to be confined or brought to juſtice for killing of Savages.*

Since I received your Honor's letter with the Proclamation, Mr Jones *who is King's Attorney, and I, had the Depoſitions of ſeveral perſons taken, in order to diſcover the murderers; by which it appears that* William Cuninghame *and* John King *was the ringleaders, that* William Young, James Clendening, Alexander Robertſon, Patrick Duffy, Charles Baſkins, Hugh Baſkins *and* William Anderſon, *were of the number that committed the murder. Upon which warrants were made out and put in the hands of the Sherifs for apprehending them; but none of them is yet taken. The Gaoler being ſworn declared that he knew but two of the men that broke the priſon; there is warrants out for the apprehending them. From what has happened and from what I am able to judge of the number and diſpoſitions of the banditti; it will be impoſſible (if any of the murderers be taken) to confine them in this Country, nor is it likely that they can be brought to juſtice by the ordinary mehtods of law; for unleſs the perſons that might take them were enabled to carry them down to* Williamſburg *as ſoon as apprehended by ſome authority from your Honor, they will undoubtedly be reſqued.*

Near the place where the murder was committed is found dead another of the Cherokees; *from what I can learn it is the young fellow called* Choconante, *ſon of the* Standing Turke, *who was for ſome time Chief of the* Cherokee *Nation. Every thinking perſon eſpecially thoſe that are moſt expoſed to the depredations of the* Cherokees, *dread the conſequences of this unhappy affair, as it is too likely the injured* Cherokees *will look for ſatiſfaction in their own way; and with what face can we plead with the Government for aſſiſtance when an act of our own (and I am ſorry I have it to ſay ſo generally approved of us amongſt us) ſhould be the cauſe of all the diſtreſſes that may befal us. However in juſtice to the people that live on our frontiers I muſt ſay they had no hand in it. When they firſt diſcovered the* Indians *they collected ſome armed men, whoe went to the* Indians, *and on their finding them to be by all likelyhood* Cherokees, *they not only ſuffered them to paſs to* Staunton, *but ſent from place to place a white man with them.*

Some days after the murder was committed, a poor unhappy blind man and his wife was killed by two of the Indians *that made their eſcape. This indeed is no more than what I expected, that they would leave behind them a mark of reſentment. I am*

Your Honors moſt obedt.
and very humble Servt.

ANDW LEWIS

The

[1] Bancroft Tranſcripts--Library of Congreſs.

The efforts of Colonel *Lewis* to bring the guilty parties to juſtice met with much indignation in *Auguſta* County, and on *June* 4th 1765, a body of men ſtyling themſelves "*Auguſta Boys*" iſſued a proclamation offering a reward of 1,000 pounds to any one arreſting Colonel *Lewis*, and ſetting forth at the ſame time another verſion of the murder, which they maintained was juſtified, owing to the fact that the *Indians* conſtituting the party were not *Cherokees*, but belonged to the *Shawanefe* and *Delaware* tribes:

PROCLAMATION[1] *OF THE AUGUSTA BOYS*
JUNE 4 1765.
A PROCLAMATION.

Auguſtas'

We *Auguſta* Boys in heart are and do profeſs ourſelves His preſent Majeſty's (King *George* the Third) true and leige ſubjects, and unhappy we being on this very verge of His Majeſty's Dominion, have, by the unparaled deceit of an inſidious and cruel heathen enemy been repeatedly diſtreſſed, and find it impracticable to maintain the legal rights granted us by His Majeſty, and think it expedient to act in the offenſive when any of thoſe our known enemies preſumes under the pretence of friends (without a warrantable paſs) to paſs among us. And as there was a party of *Indians* to the number of ten, which lately travelled into our territories, ſome of which was known and proved to be of the *Shawnee* and *Dellaware* Nations, and a few of them endeavored (as we ſuppoſe) to ſhade their ſpecious deſigns under the appellation of their being our friends viz[t]. the *Cherokees*, and as the ſaid *Indians* obtained a paſs from Col. *Lewis* for reaſons we ſuppoſe only known to himſelf, it appears and is apparent to to us that he the ſaid Colonel *Lewis* is not attached in heart to his preſent Majeſty or his liege ſubjects:

We therefore, out of our ſincere love to our Sovereign and his intereſt, and our candid love to juſtice, do promiſe a reward of one thouſand pounds for the taking of the ſaid Col. *Lewis*, that he may be brought to juſtice, and for Doct[r]. *William Fleming* and Captain *William Crow* of *Staunton* five hundred pounds each, as deemed by us Dupes and Paraſites in ſaid caſe. And we do further offer a pardon to Lieu[t] *Michael Thomas* and *Luke Bowyer* if they, each for himſelf provide a ſtring of beads &c. that they may live as formerly without depending alone on the ſmiles of Col. *Lewis*, otherwiſe let them inſtantly repair out of our Sovereign's Dominions to that of their deſired *French* King.

Our hearts are true unto our Kings.
And means all rebels down to bring.

This information Governor *Fauquier* communicated to the Board of Trade on *June* 14th 1765, admitting at the ſame time that the Colony did not poſſeſs ſtrength enough to enforce obedience to law in the mountain region. He further ſtated that the wiſer courſe to purſue was to be extremely prudent, rather than attempt vigorous action in *Auguſta* County. This determination upon the part of the Governor, was no doubt due to the almoſt univerſal feeling in that ſection that the preſence of any *Indian* was obnoxious to the ſettlers in that region. He alſo ſtated that a band of men calling themſelves "*Paxton Boys of Pennſylvania*," had ſent a meſſage to the people of *Auguſta* County, that if they were not ſtrong enough to reſcue perſons arreſted for murdering *Indians* that aſſiſtance would at once be forwarded from *Pennſylvania*. This condition of affairs naturally created a gloomy aſpect, which was not wholly eliminated until the end of 1775, when all of the territory that had occaſioned a diſpute between the Colony and the *Indians* for years became Crown lands.

Such was the condition of the *Indian* affairs in *Virginia* at the time of the Reſolutions againſt the "Stamp Act." The feeling or unreſt which ſeemed to be the moſt prominent ſubject for diſcuſſion on the border, was admitted to permit of but one ſolution, and that the complete conqueſt of all of the territory now conſtituting the States of

[1] Bancroft Tranſcripts—Library of Congreſs.

of *Weſt Virginia* and *Kentucky*. It was everywhere proclaimed that war with the *Cherokees* was inevitable, and while it was averted from time to time, by the various treaties already alluded to, the ultimate reſult was the ſanguine and bloody encounter of 1774 at *Point Pleaſant*. In this memorable battle the triumph of the whites over the red man in *Virginia* was ſettled for once and for all, and, while roving bands of *Indians* committed many depredations along the borders for years thereafter, no effort to prevent the ſupremacy of the whites was ever attempted. So it was that the great queſtion of the acquiſition of *Indian* lands by *Virginia* was finally and effectively ſettled, and the beautiful valleys of the *Shenandoah* and the *Ohio* opened up for ſettlement.

During the period between 1760 and 1765, the queſtion of the Colony's credit was a matter of much deliberation. The conſtant fluctuation in the value of gold and ſilver, and the neceſſity for the emiſſion of paper money, had created a condition of affairs that bid fair to bankrupt the Colony. Owing to a law then in force, gold and ſilver coins had a value far beneath their real worth, which practically eliminated ſuch ſpecie from circulation. Merchants in this country were unable to meet their obligations to merchants abroad, which reſulted in little aſide from the actual neceſſities of life being imported. In order to effect a change in the money ſyſtem of the Colony and bring about a ſatiſfactory adjuſtment of this queſtion, the *Virginia* merchants preſented a remonſtrance to the Board of Trade, ſetting forth their indebtedneſs to foreign merchants and calling for an eſtabliſhed baſis upon which money values could be determined. As it was not thought that Governor *Fauquier* was favorable to the theories advanced by the merchants at this time, he was not made acquainted with the proviſions of the petition, which related in part to the queſtion of future emiſſions of paper money. This remonſtrance to the Board of Trade was followed early in 1763, by a petition of the *London* merchants to the ſame body, in which they fought an adjuſtment of the differences between them and the merchants in *Virginia*. Theſe petitions being favorably received at once made the queſtion an iſſue which remained in an unſettled ſtate until 1764.

Governor *Fauquier* in his communication of *July* 10th 1762, called attention to the remonſtrances of the *Virginia* merchants which he claimed to be a mere ſubterfuge, and that the real purpoſe of the Colony was to be free from the expenſe of maintaining a regiment in *Virginia*. This statement, however, is not upheld by the reſolution adopted by the Burgeſſes on Saturday, May 28th 1763, when they maintained that Treaſury Notes had always been accepted by *London* merchants in payment of sterling debts, and that the holders of ſuch notes, having accepted them under a law making them legal tender except in payment of quitrents, should and muſt be protected:

Wmſburgh,[1] July *10th 1762*.

My Lords,

I have been informed, that ſeveral of the Merchts of this Colony have ſigned a Remonſtrance to be preſented to your Rt Honble Board in relation to the future Emiſſions of paper money; but I am utterly ignorant of its contents, any more than the public Rumour, it having with great induſtry been concealed from me, ſo that I have never been able to get at a ſight of it. I believe it has been confidently ſaid, even by ſome of the Remonſtrants themſelves, that the drift and aim of it was to get quit of the expence of the Regiment, which the Legiſlature has ſo cheerfully given for His Majeſty's ſervice; well knowing that the Regiment cannot be ſupported without Emiſſions of paper money; there being neither gold nor ſilver in the Colony, owing to a Law now in force, which ſets a value upon Gold and ſilver coins, far beneath their real worth according to the preſent exchange. This inconvenience is ſo ſenſibly felt, and the cauſe now ſo generally allowed, that it is ſupported on all hands, that ſome regulations and alterations will be made in the enſuing ſeſſion of Aſſembly, which will meet to ſit on the Country's buſineſs on the 2nd Novr; your Lordſps are the moſt competent Judges, what degree of encouragement ought to be given to any particular ſet of Men, who remonſtrated againſt the Acts of the Legiſlature; which is a practice ſeemingly getting foot in this Colony, ſince the example

ſet

[1] Bancroft Tranſcripts—Library of Congreſs.

fet by the Reverend the Clergy, who could not be brought to make any application for the redrefs of their grievances to the General Affembly while fitting, but chofe to remonftrate againft the act after it was paffed. . .

Your moft ob[t] Servant,

FRAN: FAUQUIER.

Again on *November* 3rd 1762, Governor *Fauquier* advifed the Board of Trade, that if any iffue was to arife during the Affembly then in feffion, that it would be entirely due to the queftion of paper money. He alfo alludes to the great rife in the exchange value of currency, which he attributes to the increafe of imports, and further ftates that the tobacco crop of the year will not fuffice to meet the indebtednefs of *Virginia* merchants:

W[m]burgh[1] Nov[r] 3rd 1762.

My Lords,

As the Golport, *fhip of War is now arrived to take under her Convoy the homeward bound Trade to* Europe, *I fhall take the opportunity of tranfmitting to your R[t] Hon[ble] Board the Box of Acts and other public papers which has been long ready waiting for fuch a fafe conveyance.*

My Affembly met yefterday in good humor, greatly fatiffied with His Maj'[ty's] approbation of their conduct fignified to me by Sir Jeffery Amherft, *fo that I am in hopes, they will do every thing in their power to continue to merit His Maj'[ty's] favour. If there fhould be any obftruction to the meafures propofed to them, it will arife altogether from the Clamour ab[t] Emiffions of paper, without which I do not fee how we could poffibly have reaifed a Man for His Maj'[ty's] fervice. The great rife of Exchange is altogether attributed by fome Men to the Emiffions of paper currency, but I am entirely of opinion there is a much more fundamental caufe for this rife, to wit, the Increafe of the Imports, to fuch a height, that the crops of Tobacco will not pay for them, fo that the Colony is fo far from having money to draw for in* England, *that they are greatly in debt already to the Mother Country, which debt is daily increafing as the Merchants of* Grat Britain *too fenfibly know. This is a truth, which fome of the moft thinking Gentlemen of the Colony fee and acknowledge, but at the fame time is fo difagreable a truth to the generality, that they obftinately fhut their eyes againft it, and what is to be done to remedy it, I know not, I fear they are not prudent enough to quit any one article of luxury, till fmart obliges them. I thought it neceffary to give your Lord[ips] my fentiments on the true caufe of the prefent high exchange of which I fear your Lord[ips] will hear from the Merchants of* London, *who, as I before wrote your Lord[ips] are acted upon by Gentlemen of this Country, for they had fat down quiet under the prefent Laws of the Colony, by which their Sterling Debts are actually fecured to them. There is fuch a warmth at prefent in this Colony about this; that I thought it abfolutely neceffary to take notice of it in my fpeech at the opening this feffion, to recommend cool deliberation on the fubject, which I thought the importance of it demanded. For thefe reafons I have herewith troubled your Lord[ips] with a copy of my fpeech on the occafion; the addreffes confequent upon it are not yet prepared.*

I am with the greateft refpect

My Lords

Your Lord[ips] moft obliged and devoted fervant,

FRAN: FAUQUIER.

The Affembly meeting on the 19th of *May*, 1763, Governor *Fauquier* called particular attention to the queftion of the Sterling debts of the Colony and urged that fome immediate action be taken to bring about liquidation. At this time the fituation had become very acute, the Burgeffes having refented the action of the merchants in attempting to fettle their differences without fubmitting their plans to the Affembly for confideration. This body had already given the queftion much time and thought, and while they were willing

[1] Bancroft Tranfcripts—Library of Congrefs.

willing to enact ſatiſfactory laws, they maintained that ſuch a courſe was impoſſible unleſs ſpecie could be ſecured for circulation. This the merchants doubted and in diſagreeing ſought the aid of *Great Britain*, which at once effected a rupture and reſulted in an indefinite poſtponement of the final ſettlement of the queſtion

GENTLEMEN OF THE COUNCIL,
MR *SPEAKER*, AND GENTLEMEN OF THE HOUSE OF BURGESSES,

I have called you together before the Time to which you ſtood prorogued, on Buſineſs of the greateſt Importance to the trading Intereſt of this Colony but to that of our Mother Country.

You may remember that on a former Application of the Merchants of *Great Britain*, trading to *Virginia*, I was honoured with an Inſtruction from his Majeſty that I ſhould recommend it to your Conſideration in what Manner you could better provide for their Security in recovering Sterling Debts due from this Colony to them: Your Neglect of that Inſtruction has now drawn on you the Cenſure of the Right Honourable the Board of Trade, for that Behaviour. On a freſh Application of the Merchants to their Lordſhips, they have come to ſeveral Reſolutions on that Head, which I ſhall immediately lay before you. I have never yet deceived you, and I will not now attempt it; but, in plain Language, inform you that all Endeavours to evade their Force will prove fruitleſs, and plunge you ſtill deeper in his Majeſty's Diſpleaſure. It is abſolutely neceſſary that ſomething ſhould be done to give the Merchants that Satiſfaction for which they call upon you, and for which, in Caſe of the Integrity of your Hearts, and of your Deſire that every Man ſhould receive full Payment and Satiſfaction for the Debts due to him, whether contracted in Sterling of current Money, whether he be an Inhabitant of *Great Britain* or *Virginia*, I am fully perſuaded you will immediately do every Thing in your Power to do them the ſtricteſt Juſtice, and remove their Fears. The Means of effecting this I ſhall leave to the Reſult of your own Deliberations, after recommending two Points to your Conſideration.

As the Support of public Credit is of the moſt urgent Importance to a trading Country, I muſt preſs you to take Care that the Paper Money now in Currency may be effectually redeemed at the Times ſtated in the Acts of Aſſembly paſſed for that Purpoſe, either by better providing for the Collection of the preſent Taxes, if ſufficient for the End propoſed, or laying ſome additional Tax, if the preſent are found inſufficient for the Purpoſe, that the Periods for redeeming the ſame may not be protracted.

Another Point I would recommend to you is the repealing the inſolvent Law, paſſed laſt Seſſion of Aſſembly, before it can take Place and have any Effect. This Meaſure muſt fully convince his Majeſty, his Miniſters, and even the Merchants of *Great Britain* themſelves, of your upright Intentions, and your Deſire of doing Juſtice to all Mankind; for upon your reconſidering that Law you will find that the Advantages to the Debtor and Creditor ariſing from it are not mutual; and that a Debtor has it in his Power to act with great Partiality, by paying particular Creditors before he is reduced to give up the Whole for the Satiſfaction of the others. This is a Point which you may be ſure cannot be overlooked, and which muſt neceſſarily turn to your Diſadvantage, if you do not put a Remedy to it yourſelves.

After thus repreſenting to you the Situation of your Affairs with the Right Honourable the Board of Trade, I ſhould not do Juſtice to their Lordſhips who compoſe that Board were I not to point out their Lenity in poſtponing any Obſervations on your Conduct, or any Report to his Majeſty in your Diſfavour, until they had communicated their Reſolutions to you, to give you Time to reconſider theſe Matters coolly, and remedy the Evils complained of. For this

Purpoſe they have not only ſent them in to me, but have given Copies to Mr *Abercrombie* and Mr *Montague*, to be by them tranſmitted to every Branch of the Legiſlature.

I am perſuaded I have ſaid enough to convince you of the Utility and Neceſſity of your engaging heartily in the Meaſures enforced by the Reſolutions of the Right Honourable the Lords of Trade; and as the leaſt Appearance of Reproach muſt ſenſibly affect feeling Minds, I ſhall quit this unpleaſing Subject, to enter upon one which muſt communicate Joy to all true Lovers of their Country, I mean the Concluſion of a moſt glorious and honourable Peace between his Majeſty and all his Enemies, of which happy Event I take this Opportunity to congratulate with you. The Care his Majeſty has taken of his *American* Colonies is a further Proof of his Attention to their Intereſt and Security, and demands the ſtrongeſt Returns of Loyalty, Obedience and Affection, from us.

Mr *SPEAKER*, AND GENTLEMEN OF THE HOUSE OF BURGESSES,

This glorious Proſpect of a ſolid and laſting Peace will afford you an Opportunity of particularly attending to the Finances of this Colony, and of putting them on a Footing which may tend to the Advancement of the Trade and Credit of the Colony, and the Security and Satiſfaction of the Merchants trading to it, and which may correſpond with the Sentiments of the *Britiſh* Miniſtry as to the Eſtabliſhment of the Currency of the Colonies; for the anſwering all which good Purpoſes, I doubt not you will provide with your uſual Prudence and Impartiality.

GENTLEMEN OF THE COUNCIL AND OF THE HOUSE OF BURGESSES

The Points I have recommended to your Conſideration call upon you for your moſt ſerious Reflexion, and I hope you will enter upon them with that Degree of Earneſtneſs and Harmony which the Nature of them requires from you.

Replying to the Governor's addreſs on *Friday* 20th *May*, 1763, the Burgeſſes maintained that they did not think it equal or juſt to circulate notes without giving them the value of money by making them legal tender:

SIR,

We his Majeſty's moſt dutiful and loyal Subjects, the Burgeſſes of *Virginia*, now met in General Aſſembly, humbly beg Leave to repreſent to your Honour that as our ſeveral Emiſſions of Treaſury Notes, ſo loudly complained of, were made in Conſequence of his Majeſty's Requiſitions, when it was impoſſible to procure Specie for thoſe Exigencies; and there being no other Succedaneum than Paper within our Knowldege, we could not expect what we then did would be conſidered otherwiſe than as Acts of Duty to our Sovereign; and we hoped that Expedient, not indeed in itſelf always eligible, was juſtified by Neceſſity: And we do not think it equal or juſt to circulate ſuch Notes without giving them the eſſential Quality of Money, by making them a legal Tender in Payment of all Debts, except for his Majeſty's Quitrents, and would not have emitted them at all upon any other Conditions.

That after the Courts were empowered to direct at what Difference of Exchange Judgments for Sterling Debts ſhould be diſcharged, which Power had never been abuſed to the Diſadvantage of any Creditor, and as the Notes were redeemable by Funds ſufficient, in our Opinion, for that Purpoſe, if the Taxes impoſed were duly collected, for regulating and enforcing which Collection the moſt effectual Methods have from Time to Time been eſtabliſhed, and that none of them could ſuffer, except from the fluctuating Nature of Exchange, which no Laws can guard againſt; and therefore we did not apprehend we ſhould deſerve Cenſure as neglecting the royal Inſtruction, the Spirit of which, we humbly conceived, had been complied with.

Under

Under ſuch Circumſtances, we cannot help conſidering it as an Inſtance of Weakneſs or Caprice in the *Britiſh* Merchants, ſtill to inſiſt on Satiſfaction in theſe Points, eſpecially when the Evil they complain of, the exceſſive Riſe of Exchange, will be ſufficiently balanced by the Advantage they muſt inevitably receive from its preſent declining State.

We, Sir, are ſo conſcious of the Rectitude of our Intentions with reſpect to all Creditors, and of our having done, as we conceived, the ſtricteſt Juſtice to them, that we cannot help feeling very ſenſibly the leaſt Appearance of Reproach on this Account; but leſt we may have been miſtaken in our Conceptions, and as well to convince the World of our Integrity and Inclination to do Juſtice to all Mankind, as to pay that Regard which is due to your Honour's Recommendation, of whoſe Sincerity we have had too many Inſtances to doubt it upon this Occaſion, and to whom we own ourſelves obliged for that Freedom with which you have warned us of our Danger, we will reconſider this Subject with the Coolneſs and Attention the Importance of it deſerves, and aſſure your Honour that every Thing in our Power ſhall be done for the Support of publick Credit: And although our Conduct herein may not entirely remove the Fears of all the Merchants, permit us to hope it may prevent his Majeſty's Diſpleaſure, which we ſhould lament as our greateſt Miſfortune, and ſhall ever moſt ſtudiouſly endeavor to avoid.

We will alſo take the inſolvent Law under our Conſideration and remove all Cauſes of Complaint on that Head, if poſſible.

We do moſt heartily rejoice with your Honour on the Concluſion of the Peace, an Event not more glorious to his Majeſty than it will be happy for us, whilſt with that is continued the additional Bleſſing of his princely Attention to our Intereſt and Security, which ſhall ever meet with the warmeſt Returns of Gratitude, Loyalty and Affection.

The Governor in his communication of *May* 24th, 1763, to the Board of Trade, notes the apparent diſſatiſfaction exiſting in the Aſſembly, and urges that no notice be taken of ſuch parts thereof as indicate the diſpleaſure of that body:

Wmſburgh[1] May 24th 1763

My Lords,

In the addreſs of the Burgeſſes there appears, as your Lordſps will obſerve ſome warmth againſt the Merchants of Great Brittain, *whom they think they ſupport by their conſignments of Tobacco to them, and by whom they think they have been ill uſed on that account; but by the pains I have taken, I, with the concurrence of the moſt reaſonable part of the Members of that body I have now ſome reaſon to believe that they will cooly conſider matters and come into every thing recommended to them or expected from them. In my anſwer to this addreſs I thought it adviſable to take no notice of the warm parts of it, but pin them down to ſuch aſſurances and Reſolutions as I thought would beſt anſwer the preſent purpoſe.*

I am with the Greateſt reſpect, My Lords,

Your Lordſps moſt obedient and devoted ſervant

FRAN: FAUQUIER

As the reſult of the Governor's efforts to adjuſt the finances of the Colony, the Aſſembly appointed a committee on *Monday* 23rd *May*, 1763, to inquire into the funds for the redemption of paper currency, the matter being referred to Meſſrs. *Bland, Richard Henry Lee*, and *Benjamin Harriſon*. This committee reporting on *Tueſday* 24th of *May*, it was reſolved that the notes eſtabliſhed for the redemption of the treaſury notes at the ſeveral ſtated periods were ſufficient for the purpoſe, and if a deficiency occurred it ſhould be met by a new and adequate tax. It was further reſolved that a committee be appointed to take the Governor's addreſs into conſideration. This committee after ſeveral days conſultation preſented a report for the conſideration of the Houſe on *Saturday*

[1] Bancroft Tranſcripts—Library of Congreſs.

Saturday 28th of *May*. Mr *Charles Carter*, Chairman of the committee appointed to prepare this addreſs preſented the ſame, whereupon it was read and agreed to by the Houſe.

In this addreſs the Aſſembly declared that the poſſeſſors of treaſury notes had received them with the underſtanding that they were legal tender, except for his Majeſty's quitrents, and that any law contrary to ſuch an underſtanding would be an injuſtice to the people:

SIR,

Your Honour having, with your accuſtomed Candour and Goodneſs, communicated to us the Complaint of ſome *London* Merchants trading to this Colony to the Right Honourable the Lords of Trade and Plantations, and their Lordſhips Reſolutions thereupon, we took the ſame under our ſerious Conſideration, and find ourſelves under the Neceſſity of vindicating the Integrity and Uprightneſs of our Proceedings, every Way, in our Opinion, conſiſtent with our Duty to our King, and the true Intereſt of our Country.

Our Dependence upon *Great Britain* we acknowledge and glory in as our greateſt Happineſs and only Security; but this is not the Dependence of a People ſubjugated by the Arms of a Conqueror, but of Sons ſent out to explore and ſettle a new World, for the mutual Benefit of themſelves and their common Parent: It is the Dependence of a Part upon one great Whole, which, by its admirable Conſtitution, diffuſes a Spirit of Patriotiſm that makes every Citizen, however diſtant from the Mother Kingdom, zealous to promote its Majeſty and the public Good.

By ſuch a Spirit, and by ſuch Principles, Sir, hath our Conduct ever been influenced; and we hope we may, without Arrogance, take this Character to ourſelves, ſince our late and preſent Sovereigns have been pleaſed frequently to beſtow it upon us for the Part we took in the late War, when we did, as far as we were able, contribute to the Succeſs of the *Britiſh* Arms.

This Conduct, though it hath received the royal Approbation, a Reward adequate to our warmeſt Wiſhes, hath nevertheleſs involved us in a great Debt; which, as it was created for the nobleſt Purpoſe, we ſhould cheerfully ſuſtain, if the Merchants had not raiſed a moſt unreaſonable Clamour againſt our Paper Bills of Credit: In the Emiſſions of which, when a true and particular State of the Facts ſhall be laid before you, and the Matter rightly underſtood, we doubt not a Zeal ſo well intended will rather be imputed to us as meritorious than liable to any Exception.

The Memorial, we are concerned to find, is ſupported by a Proteſt of ſome of his Majeſty's Council here. We would leave this Proteſt to its Repoſe, until Poſterity, for whom it is ſaid to have been deſigned, ſhould think it worth a Peruſal, had it not been communicated by the Authors of it with a View to alarm the trading Intereſt, and applied to Purpoſes, and produced Effects, which we hope the Proteſters themſelves did not intend; but ſince that hath raiſed the Apprehenſions of the Memorialiſts, and inſtigated them to ſolicit the Interpoſition of the Right Honourable the Board of Trade, we muſt do Juſtice to ourſelves by examining the Grounds of it. It is alleged "that the Want of a ſufficient Quantity of circulating Money was at firſt the Pretence of iſſuing Paper Bills of Credit." This is ſuppoſed to have meant, as it was underſtood, to inſinuate that theſe Emiſſions were to anſwer private Purpoſes; but, if it be remembered that all our neighbouring Colonies had long before adopted, and moſt of them repeated, the Expedient of Paper to ſupply the Want of Specie in Time of Peace, but that we did not follow their Example before the laſt War, after all our Treaſure was anticipated, and that even then we choſe at firſt to borrow £10,000 granted for his Majeſty's Service, at the high Intereſt of ſix per Centum, and never, until after that Reſource failed, went into a Meaſure ſo

little

little reliſhed, and always, except in one Inſtance of trifling Conſequence, confined the Amount of the Notes to the Money granted: If theſe notorious Truths are admitted, we leave it to the Judgment of the Diſintereſted whether at ſuch a Criſis, when an actual Invaſion threatened, if not timely and vigorouſly oppoſed, our total Extermination, the powerful Principle of Self Preſervation, co-operating with the Requiſitions of a moſt gracious Sovereign, are not ſufficient to acquit us of any ſordid or unjuſt Motives.

It is ſaid in the Proteſt "that the Apprehenſions of the Miſchiefs that muſt be the Conſequence of iſſuing more Paper Money were ſufficiently warranted by the acknowledged Deficiency of the Taxes for ſinking what had iſſued, a Deficiency ſo alarming to a preceding Aſſembly that it aſtoniſhed the Warmeſt Advocates for Paper Money." By whom this acknowledgment was made, or what Part of the Aſſembly was alarmed at it, we know not; but this we know, and do aſſert, that there are no warm Advocates for Paper Money among us, further than to preſerve the Credit of what hath been iſſued, and prevent the evil Conſequences of ſtopping its Circulation at this Time; and that no ſuch Deficiency ever appeared, or was alarming to, or acknowledged by us.

Indeed, upon Examination of the Treaſurer's Accounts, it appeared that many Sheriffs had not paid in the Taxes received by them, and therefore ſo much Money was not annually burnt as was intended by the Laws. This raiſed the Reſentment of the Houſe againſt theſe Officers, and conſiſtently with their uniform Intentions to uſe every Method for enforcing regular Collections of the Taxes, and ſinking annually the due Proportion of this Paper they ordered the Sheriffs in Arrears to be proſecuted on their Bonds, which, as our Laws have provided a ſpeedy Remedy againſt them, and they give ſufficient Security, hath already brought in a conſiderable Part of thoſe Arrears, and will, we hope, remove all Cauſe of Complaint on that Account. But this Neglect in the Officers is very diſtinguiſhable from an Inſufficiency in the Taxes, which we never doubted were ſufficient, if properly collected, to effect the Purpoſe of Redemption; and we are now confirmed in this Opinion, by a full State of the Notes in Circulation, and of the Taxes, which we have cauſed to be truly drawn, and annexed hereto, for the Satiſfaction of your Honour, and every Perſon concerned.

From this it will appear that the diſſenting Members of the Council were betrayed into a too haſty Aſſertion of theſe Facts, by a Warmth ariſing from a Difference of Opinion about the Utility of the Law whereto their Proteſt related; of which we will now take Leave, and proceed to the Conſideration of the Memorial itſelf, and the Reſolutions of the Right Honourable the Board of Trade thereupon.

Our Reaſons for not providing at this Time for the ſuppoſed Deficiency in our Taxes, will appear from what is before ſet forth; but to expreſs, what we always conceived, that our publick Faith is engaged to ſupply any accidental Failure in thoſe Taxes, we have upon this Point come to the following Reſolution:

"*Reſolved*, That it appears that the Funds eſtabliſhed for the Redemption of the Treaſury Notes, at the ſeveral ſtated Periods, will be ſufficient to effect that Purpoſe; but that if, by any Accident, they ſhall happen to fail, any Deficiency ought to be ſupplied by a new and adequate Tax."

The next Thing pointed out to us is the declaring theſe Notes not a legal Tender in Payment of Sterling Debts, but that they may be received by ſuch Creditors only as are willing to accept them, and then not at their nominal Value, but according to the real Difference of Exchange between ſuch Paper Bills and Sterling Money at the Time of Payment.

In entering upon this Conſideration we encounter a Charge which very deeply affects us, that we have been wanting in a proper Reſpect to the Crown,

as well as in Juſtice to the *Britiſh* Merchants, in refuſing to comply with what was recommended by his late Majeſty's Inſtruction of the 31ſt of *January*, 1759: When that Inſtruction was communicated to us by your Honour, we conſidered it with the Attention and Regard due to whatever comes from the Throne; but, as we muſt be allowed to judge for ourſelves, ſo far as our Sanction is neceſſary to any Law, and could not be convinced that the Meaſure propoſed was proper, we did indeed decline to paſs ſuch a Law, but at the ſame Time, in an humble Addreſs and Repreſentation to his Majeſty, modeſtly ſet forth the Reaſons of our Conduct, which we preſumed to hope would preſerve us from the Imputation of Diſreſpect to the Crown, and from royal Diſpleaſure. And as we heard of no further Complaints from the *Britiſh* Merchants on this Subject, from that Time until the Meeting of this Seſſion, we concluded they were ſatiſfied of our Intentions to do them Juſtice; and we can venture to ſay that had we known our Reaſons were not ſatiſfactory, it would have prevented ſeveral ſubſequent Emiſſions, and particularly the laſt, which gave Riſe to the preſent Complaint.

The Memorialiſts allege that Exchequer Bills and Notes of the Bank of *England* were not made legal Tender in Payment of Debts, although they are upon a better Eſtabliſhment than our Notes, and deduce an Argument from thence againſt ours being declared ſuch Tender, not conſidering, as we conceive, the true Diſtinction in the Caſes, The Notes of the Bank of *England*, circulated upon Stocks of Specie, depoſited to anſwer Payments when demanded, were not forced upon any Perſon, nor was it neceſſary: There was no Doubt of their anſwering every local Purpoſe of Money; and when the Caſe of Remittance to foreign Countries Specie became neceſſary, as they could obtain that for their Notes, no poſſible Fears could prevent the willing Receipts of them, and make a Law to compel an Acceptance proper. We cannot deny but this makes that Kind of Paper preferable to ours, and we ſhould gladly have purſued ſo eligible a Plan, if our Circumſtances would have admitted it; but when it is conſidered that the Want of Specie, which had been drawn away by the Armies to the Northward, was the ſole Cauſe of iſſuing our Notes, there will require no other Reaſon to be aſſigned for our not circulating them upon the Footing of Bank and Exchequer Notes. We had, therefore, no other Method than to emit theſe Notes to circulate their Return to the Treaſury, or Gold and Silver ſufficient to redeem them by the Time appointed. And ſince we were to force them as Money upon our Army, and thoſe who furniſhed them with Neceſſaries, we conceive it would have been very unjuſt to have left their Creditors at Liberty to take it of them or not; and the ſame Injuſtice muſt have happened wherever it had been ſtopped. We therefore thought ourſelves obliged not only to give it that eſſential Quality of Money, to make it a legal Tender in all Payments, but to add ſeveral other Reſtrictions, to preſerve its Credit, and prevent the Deſigns of the Avaritious to depreciate it for their private Gain.

But at the ſame Time we conſidered how the Intereſt of the *Britiſh* Merchants might be affected by this Money, and, at leaſt as far as was in our Power, if not effectually, ſecured that from Injury.

We ever conſidered ourſelves as under an Obligation to diſcharge our Debts contracted in *Great Britain*, either in Sterling Money or foreign Coin, received by Conſent of the Creditor, or his Attorney here, as ſuch a Rate for the Difference of Exchange as would place the Money in *Great Britain* without loſs. If the Creditor and Debtor could not agree about this Difference, as Reference to Arbitration, or to the Courts of Juſtice, was the only regular Method of ſettling it between them. But as the Demand, and in Conſequence the Judgment, was for Sterling Money, and until the Year 1748 there was no Law directing at what Rate of Exchange Sterling Debts ſhould be diſcharged, the Conſequence was that the Sheriffs, when they levied Money by Executions on Judgments for Sterling, demanded what Exchange they thought proper, to

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the great Oppreſſion of the Debtor and without any Advantage to the Creditor. The Aſſembly then thought proper to put a Stop to ſuch unjuſt Proceedings, and, by the Act, entitled, *An Act declaring the Law concerning Executions, and for Relief of inſolvent Debtors*, directed for ſuch Executions for Sterling Money to be levied at 25 per Centum, the real Difference of Money, and the then Difference of Exchange. The *Britiſh* Merchants complained of this Act, and repreſented that they might be conſiderable Loſers when Exchange ſhould riſe above 25 per Centum, which the Aſſembly took into their Conſideration, and endeavoured to provide a Remedy for. They knew that, as Exchange is fluctuating, they could not do Juſtice by fixing it to any certain Standard; and therefore, by the ſubſequent Law taken Notice of in the Memorial, they empowered the Courts, where Sterling Judgments ſhould be obtained, to ſettle at what Rate of Exchange the ſame ſhould be diſcharged, which they conceived would enable the *Britiſh* Creditor to place his Money there without Loſs, as it was not doubted but the Courts would be governed by the higheſt Exchange given at the Time for Bills drawn payable in *Britain*.

But the Memorialiſts ſay, this is not an ample Security of their Property againſt the evil Conſequences of Paper Money being declared a Tender for their Debts. We will beg Leave to conſider their Reaſons, in Support of this Aſſertion in the Order they have mentioned them:

The firſt is, they are adviſed that the Law of 1748 is ſtill in Force, having received the royal Aſſent, which the amending Law could not obtain as the former remained unrepealed. This amending Law is not ſuſpended for his Majeſty's Approbation, but, from the Terms of it agreeable to the royal Inſtructions was in Force from the Time of its paſſing here until his Majeſty ſhall declare his Diſſent and Repeal thereof; which not having happened, and the Courts here allowing the Force of that amending Law, and acting according to the Spirit thereof, we conceive it would have been more for the Intereſt of the Memorialiſts to have ſolicited his Majeſty's Approbation of that Law, if they thought it neceſſary, than to have founded Objections on its not being in Force; and if the royal Diſſent, or any Determination here, that the Law was not in Force, had turned to their Prejudice, they then might have complained with Reaſon on this Head.

The next Objection to this Remedy is, that it is left to the Colony Judges to ſettle the Exchange upon Sterling Judgments in ſuch Manner as they ſhall think reaſonable and juſt, which they ſay is introducing a Mode and Form of Juſtice unheard of in the *Britiſh* Realm. We have before obſerved that when we have not Sterling Money to pay Debts due in *Great Britain*, the Debtor is left to compound with his Creditor for Payment in foreign Coin, or Treaſury Notes, at ſuch Rate of Exchange as they can agree on; if a Diſpute ſhall ariſe on that Head, which they cannot adjuſt between themſelves, to whom can it be referred, but as all other Diſputes are, to the Courts of Juſtice, the true conſtitutional Reſort? And we cannot diſcover what the Memorialiſts mean by calling this a new Mode of Juſtice, unleſs it be that the Point ſhould be tried by a Jury, and not by the Courts, in which, if we erred, it was from a miſtaken Opinion that the latter would prove in this Inſtance the moſt competent and impartial Judges. And as the Courts have conſtantly, in the Exerciſe of this Power, allowed the higheſt Rate of Exchange, as ſettled by the general Conſent of all the Traders, at which Bills of Exchange upon *Great Britain* were ſold at the Time, we humbly inſiſt that Sterling Debts are virtually paid in Treaſury Notes, not according to their nominal Value, but according to the real Difference of Exchange between them and Sterling Money.

But it is ſaid, Experience hath ſhown, in many Inſtances, this Mode to be inſufficient, in as much as the Exchange hath riſen, between the Time of the Orders of Court and a Poſſibility of the Creditors obtaining a Remittance, to his

Diſadvantage

Diſadvantage. We allow there have been ſuch Inſtances, but we muſt be permitted to ſay the Diſadvantage hath hitherto been ſmall and inconſiderable, of a caſual Nature, againſt which no human Laws can provide, and for which therefore we cannot ſuggeſt a Remedy; and the Injuries ſuſtained will be fully compenſated by the Advantages the Creditors muſt inevitably receive, in the ſame Proportion, from the preſent declining State of Exchange. By the Method propoſed, inſtead of this objected to, the Creditor is at Liberty to refuſe this Paper unleſs paid him at ſuch Rate of Exchange as he is pleaſed to demand; and we ſubmit to all Mankind to determine which is moſt liable to Objection, to refer the Deciſion to diſintereſted Judges, under the Obligation of an Oath, to do equal and impartial juſtice, or to the Creditor, under the Temptation of Intereſt, to take Advantage of his Debtor's Neceſſity, and extort ſuch Differences as might be very oppreſſive, which we conceive would directly tend to deſtroy the Credit of our Paper Money, and introduce the greateſt Miſchiefs.

We hope we have fully explained the Juſtice and Neceſſity of having made theſe Notes a Tender in all Payments, guarding as we did the Intereſt of the Sterling Creditors; and if this was originally right, every Argument muſt doubly militate againſt an Alteration at this Time in this eſſential Point: For, when theſe Notes have been allowed to circulate ſeveral Years, and the preſent Poſſeſſors have received them under the Faith of a Law which obliged their Creditors to take them in the ſame Manner, to take away that Obligation, and to ſtop the Paper in their Hands, would be an Act of Injuſtice, which, in our Opinion, bears no Proportion to any poſſible Injury the Sterling Creditors ſuſtained, or can receive, from continuing the Notes on their preſent Footing.

For theſe Reaſons, after the moſt mature Deliberation, we cannot alter our former Opinion, and have come to the following Reſolution:

Reſolved, That as the preſent Poſſeſſors of the Treaſury Notes have received them under the Faith of a Law making them a legal Tender in all Payments, except for his Majeſty's Quitrents, to alter that eſſential Quality of them now would be an Act of great Injuſtice to ſuch Poſſeſſors; and that as the *Britiſh* Merchants have conſtantly received, and under the preſent Regulations of our Laws will continue to receive ſuch Notes for their Sterling Debts, according to the real Difference of Exchange between this Colony and *Great Britain*, at the Time of Payment, their Property is ſo ſecured as to make ſuch Alteration unneceſſary with Reſpect to them.

In adviſing the Board of Trade of the action of the Aſſembly, Governor *Fauquier* ſtated that he was unable to comply ſtrictly with its demands "for the better eſtabliſhing the credit of the Treaſury Notes." He further ſtated that the Burgeſſes contented themſelves with ſending him a long addreſs ſetting forth their reaſons in the Treaſury Note matter:

W^m^ſburgh[1] June 1^ſt^ 1763.

My Lords.

And now, My Lords, I am ſorry to ſay I could go no further, for inſtead of complying ſtrictly with the ſatiffaction your Lord^ſps^ demanded for the Merchants and for the better eſtabliſhing the credit of the Treaſury notes, the Houſe of Burgeſſes contented themſelves with ſending me a very long Addreſs containing reaſons for their conduct with the ſtate of the Treaſury accounts, and the produce of the Taxes annexed; which I have encloſed to your Lord^ſps^ with my anſwer in the Box with this. It appearing to me by the ſtate of the account, that the Taxes would really ſink the whole paper money by the Time preſcribed, eſpecially as the Tax on Tithables is found to encreaſe conſiderably on the laying of every new Levy, I waved the preſſing them on this article, and turned the whole force of my argument in all my converſations with any of the Members of the General Aſſembly, on the expediency and ſafety of taking off the legality of the Tender for Sterling Debts. But the danger

[1] Bancroft Tranſcripts--Library of Congreſs

danger of this meaſure was by long prejudices ſo deeply rooted in their minds, that I think I brought but four Gentlemen over to my opinion, to conſider this matter in the light in which I conſidered it; and this was done not by any general reaſoning, but by ſuppoſed caſe, I brought in order to illuſtrate my meaning which was this. I ſuppoſed that A, a Gentleman of known great fortune (indeed I inſtanced Mr Nelſon) *ſhould give out promiſſory notes for a large ſum, and that B, a Gentleman of very ſmall fortune ſhould do the ſame, and that the legiſlature ſhould give B's notes, the eſſential property of money by making them a legal Tender, wch they ſhould refuſe to A's notes, I aſked whether any Man in his ſences, would not more willingly take the notes of A without the ſanction of a legality by Act of Aſſembly, than the notes of B with it. But like the deaf Adder, they ſtopped their Ears.*

I am with the greateſt reſpect and Regard
My Lords,
Your Lord^ips moſt obedient & devoted ſervant.

FRAN: FAUQUIER.

Being unable to accompliſh the wiſhes of the Board of Trade in the Paper Money queſtion, the Governor determined that the Aſſembly ſhould be prorogued, hoping thereby to receive a more favorable conſideration of the Money queſtion at another ſeſſion. In his addreſs to the Burgeſſes, at this time, he acknowledged that the taxes appeared to be fully ſufficient to anſwer the ends propoſed, but maintained that the Aſſembly ſhould have provided for the full payment of all outſtanding notes:

GENTLEMEN OF THE COUNCIL,
MR SPEAKER, AND GENTLEMEN OF THE HOUSE OF BURGESSES,

When I called you together, to lay before you the Reſolutions of the Right Honourable the Lords Commiſſioners for Trade and Plantation Affairs, founded on a Memorial of the Merchants of *Great Britain* trading to this Colony, preſented to their Lordſhips, I hoped and expected that you would, by ſome Acts or Reſolves, have removed all future Cauſe of Complaint from the Merchants, and given full Satiſfaction to their Lordſhips in all the Points recommended to your Conſideration.

By the State of the Accounts of the Treaſury, and the Taxes laid to ſink all the various Emiſſions of Paper Money at the Times ſtipulated in the ſeveral Acts empowering the Treaſurer to iſſue ſuch Notes, I muſt candidly acknowledge that the Taxes do appear to me to be fully ſufficient to anſwer the Ends propoſed; but, let this be granted: What Objection could there have been to your having bound yourſelves, by a formal Reſolve of the whole Legiſlature, to have provided for a full Payment of all the Notes outſtanding, by ſome additional Tax adequate to the Purpoſe, in Caſe of any accidental or unexpected Deficiency of thoſe now in Being? This you might have done with the utmoſt Safety; for if the Taxes already laid ſhould prove ſufficient, no new Burthen would have been laid on the People; and if they ſhould not, your Honour ſtands engaged to make up all Deficiences, however occaſioned: And then it would have remained with you to have conſidered whether the Legality of the Tender of Paper Notes, after ſuch Stability and Security given them, might not have been taken off without riſking the Ruin and Deſtruction of the Colony, ſo much dreaded, as the Conſequence of removing it.

Having Nothing further to expect from you in this Seſſion, I ſhall now prorogue you, and you are accordingly prorogued, to the third *Tueſday* in *Auguſt* next.

Having prorogued the Aſſembly to the third *Tueſday* in *Auguſt*, and determining that the time was not propitious to diſcuſs the Money queſtion, the Aſſembly was again prorogued to *Thurſday*, *January* 12th, 1764. During this ſhort ſeſſion of nine days, an attempt was made to have the Aſſembly further provide for the maintenance of the regiment

ment raiſed during the late war. This the Burgeſſes refuſed to do, upon the ground that ſuch an act would again incur the diſpleaſure of the *Britiſh* merchants, and poſſibly reſult in miniſterial cenſure. Nothing, therefore, was done with the Money queſtion at this ſeſſion, though it was taken up and diſcuſſed at length.

During the ſeſſion beginning the 30th of *October*, 1764, the Governor, in his opening addreſs, called attention to a new propoſition made by the merchants of *Great Britain* trading in *Virginia*, to have their Sterling debts ſecured to them by a payment in Sterling money. He reaſoned that this was perfectly juſt and that it was the duty of the Aſſembly to effect ſuch a reſult:

GENTLEMEN OF THE COUNCIL,
Mr. SPEAKER, AND GENTLEMEN OF THE HOUSE OF BURGESSES,

You are now met in General Aſſembly, after a long Receſs, to conſider of and go through the Buſineſs of the Country, and ſuch other Points as may be offered for your Deliberation. In the Courſe of this Seſſion many Matters of Importance will come under your Conſideration; and by the long previous Notice you have had of the Time of your aſſembling, I hope I now meet you prepared to undergo with Patience and Cheerfulneſs the Fatigue which a long Seſſion unavoidably brings with it.

Beſides the ordinary Buſineſs of the Seſſion, I have it in Charge to lay before you, and earneſtly recommend to your moſt ſerious Attention, a Propoſition made by the Merchants of *Great Britain* trading to this Colony to the Right Honourable the Board of Trade, relating to their having their Sterling Debts ſecured to them by a Payment in Sterling Money: This is reaſonable on the Face of it; and the Lords of Trade have left it to you to provide for it yourſelves, by any Means you ſhall think moſt expedient to effect that Purpoſe, before they referred the Complaints of the Merchants to the *Britiſh* Parliament. This Lenity of their Lordſhips demands a ſuitable Return from you: And that you may be the better enabled to anſwer their Expectations, I ſhall immediately lay before you a Minute of the Proceedings of that Right Honourable Board, and the Letter their Lordſhips have ſent to me on that Head. By a now Long Experience, I have always found you diſpoſed to do Juſtice to all Men; and I hope this Diſpoſition will induce you to give that Juſtice to the Merchants which ſhall be ſatiſfactory, not only to his Majeſty and his Miniſters, but to the Merchants themſelves. This Letter I have long ſince received; but being unwilling to give you an additional Trouble, and create an unneceſſary Expenſe to the Country, I did not immediately convene you, but poſtponed it to this Time, when it was thought proper you ſhould meet, as I judged this would anſwer the Purpoſe intended: But then, Gentlemen, I undertook to anſwer for you that you ſhould enter upon this Matter immediately on your Meeting, that I might be enabled to tranſmit to their Lordſhips your Acts, in Conſequence of the Propoſition offered you, Time enough for their Lordſhips to make that Uſe of them which they ſhould think proper. That I may perform this Engagement, which I have entered into on your Account, I make no Doubt but that you will, without Delay, proceed on this Buſineſs; and that the Reſult of your Deliberations will do Honour to yourſelves, Juſtice to the Merchants, and give Satiſfaction to the Miniſtry.

The letter referred to by Governor *Fauquier* and which he tranſmitted to the Aſſembly, authorized that body to legalize the tender of paper money in payment of debts. As this was in conflict with an act[1] of Parliament, Governor *Fauquier*, under date of *November* 16th, 1764, ſtated that acting under inſtructions received from that body, he felt it his duty to offer and recommend that ſuch a courſe be followed. He likewiſe ſtated that he had alſo received inſtructions to prolong the time in which it would be legal to tender money already emitted.

Replying

[1] Statutes at Large, VI. p. 560. [2] Bancroft Tranſcripts—Library of Congreſs.

Replying to the Governor's addreſs, under date of *Friday, November* 9th 1764, the Burgeſſes declared that no Sterling ſpecie being in circulation they could not ſecure the debts in the manner ſuggeſted by the merchants, but ſtating that they had "reviſed the ſeveral laws authorizing the Paper Emiſſions, and directing the Rate of Exchange at which Judgments for Sterling Money ſhould be diſcharged:"

Sir,

The Burgeſſes of *Virginia*, now met in General Aſſembly, have had under their moſt ſerious Conſideration that Part of your Honour's Speech recommending the Re-examination of the Complaints of the *Britiſh* Merchants to the Right Honourable the Board of Trade, relating to our Paper Money, with the Reſolutions of their Lordſhips thereupon: And that we might proceed with a Deliberation that ſhould fully evince the Rectitude of our Intentions, we reviſed the ſeveral Laws authorizing the Paper Emiſſions, and directing the Rate of Exchange at which Judgments for Sterling Money ſhould be diſcharged; and have alſo reviewed our Reaſons, preſented to your Honour at a former Seſſion, in Support of the Juſtice of thoſe Laws. The preſent Propoſition being only that we ſhould ſecure the Payment of Sterling Debts in Sterling Money, here, in *Great Britain*, we examined how either of thoſe Payments might be effected; and as we have not Sterling Specie to pay here, which the Merchants well know, we could ſecure the Sterling Creditors from Injury, in the Receipt of the Paper by no other Means, that we can ſuggeſt, except by directing that they ſhould be paid ſo much Paper as would place their Money in *Britain* without Loſs. This, we are ſtill of Opinion, the Law directing the Courts to ſettle the Exchange on all Judgments fully effects; to which we can add no greater Security, without altering our Currency in that eſſential Part that makes it a legal Tender in all Payments, which we think, we cannot do without violating the Principles of natural Equity, in regard to the preſent Poſſeſſors. And as we conceive an Alteration unneceſſary with Reſpect to the Creditors, and might be attended with Oppreſſion as well as Injuſtice to the Debtors, we can by no Means agree to that Meaſure; eſpecially as a Payment in Paper is preferable to one in Sterling Specie here, if ſuch we had to pay, ſince that Specie could not be ſent to *Britain* without a Loſs of Freight and Enſurance. . . .

This action upon the part of the Aſſembly was accepted by the merchants in *Great Britain* as a satiſfactory adjuſtment of the differences exiſting between them and the merchants in *Virginia*. By reviſing the ſeveral laws authorizing the emiſſion of paper money, the long exiſting harmony between *Engliſh* and *American* trade was at once re-eſtabliſhed. The cauſes which led to this rupture largely reſulted from the ſtringent laws of Parliament, which forbade a proper adjuſtment of the finances of the Colony. This was due in no uncertain degree to the unuſual demands on the part of the Board of Trade, which not only was objectionable to *Virginians*, but would have reſulted in the moſt gigantic debt of Colonial times. The period from 1758 to the paſſing of the reſolutions againſt the Stamp Act was, therefore, one of great financial trouble, and as a forerunner of the Revolution, was largely inſtrumental in cementing the intereſt of the Colonies.

The action upon the part of the Board of Trade, in permitting the Aſſembly to reviſe the ſeveral laws on the Paper Money queſtion, was a happy ending of the differences between the merchants in *Great Britain* and thoſe in *Virginia*. By this act the trade ſyſtems of the Colony again became operative, and remained upon a ſatiſfactory baſis to the cloſe of *Britiſh* rule in *America*. The circumſtances which led to this rupture were varied and many, the moſt important being the demand upon the part of the Board of Trade for the eſtabliſhment of the Colony upon a war baſis. Paſt experience

experience had shown the lack of neceſſity for a ſtanding army in *Virginia*, and ſuch regiments as had been authorized had reſulted in numerous debts, which the people had to meet by heavy and unjuſt taxation. The period covered by the financial troubles of the Colony, was, therefore, one of great trouble, and as a forerunner of the Revolution was largely inſtrumental in cementing the intereſts of *Virginia* with thoſe of the other Colonies.

Cloſely aſſociated with the differences between the foreign merchants and thoſe in *Virginia*, was the "Two Penny Act," or what is commonly known as the "Parſon's Cauſe." As already noted one of the moſt difficult problems of the Colony was to ſecure money for any purpoſe. *Virginia* had been denied the privilege of coinage, and as trade with *Great Britain* brought no gold or ſilver into the Colony, it was, therefore, neceſſary for the planters to have a medium of exchange wherewith to pay their bills, and as tobacco was the chief product the planters uſed it for this purpoſe. From time to time, various acts were paſſed to regulate this cuſtom which was inaugurated in 1632,[1] by an act providing for five warehouſes, in which all tobacco intended to be uſed as a medium of trade ſhould be ſtored and properly inſpected. Subſequent reviſions of this law reſulted in Inſpectors Certificates and Notes being given at legal warehouſes, which became the main currency of the Colony. Theſe notes were accepted, not only for private but public debts, and the expenſes of the government were eſtimated and taxes levied upon tobacco as the baſis of exchange.

In 1696 the ſalary of the clergy of the Eſtabliſhed Church was fixed at 16,000 pounds of tobacco, which was to be levied by the ſeveral veſtries and pariſhes throughout the Colony. "Lawful perquiſites" alſo exiſted in the uſe of the glebes and the monopoly of marriage and burial fees. This law which occaſioned the diſpute between the Colony and the Aſſembly, did not allow for fluctuation in the price of tobacco, nor did it preſcribe for a reduction in the ſalaries of the Clergy in event of a failure of the tobacco crops. As the abſence of clauſes of this nature inſured to the Clergy the ſame income annually, whether the crops were gathered or not, the law was deemed unſatiſfactory and after being in force for more than fifty years, the Aſſembly determined to amend it, ſo as to diſtribute the burden reſulting from a failure of the tobacco crop upon all reſidents of the Colony. This action was bitterly oppoſed by the Clergy, who maintained that their rights as ſet forth in the Act of 1696 were inviolable, and that the Aſſembly in amending the Act did ſo in direct oppoſition to the Church of England:

AN ACT[2] FOR THE BETTER SUPPLY AND MAINTENANCE OF THE CLERGY.

Whereas a competent and ſufficient proviſion for the clergy will be the only means to ſupply this dominion with able faithful and orthodox miniſters whereby the glory of God may be advanced, the church propagated and the people edified, and, *whereas* the law now in force entituled glebes to be laid out, in makeing ſuch proviſion, doth ſeem verry deficient and uncertain.

Bee it enacted by the Governour, Councell and Burgeſſes of this preſent generall aſſembly and the authority thereof, and it is hereby enacted, That the ſaid act of aſſembly in the printed book entituled glebes to be laid out, and every clauſe and article thereof be from henceforth repealed and made void, to all intents conſtructions and purpoſes as if the ſaid act had never been made, any thing in the ſaid act or in any other act to the contrary in any wiſe notwithſtanding.

And be it enacted by the authority aforeſaid, and it is hereby enacted, That all and every miniſter or miniſters in all and every pariſh and pariſhes in this dominion incumbent in the ſaid pariſh or pariſhes and therein officiating as miniſter or miniſters ſhall have and receive for his or their meantenance the ſume

1 Hening, I, p. 203. 2 *Ibid.*, III, p. 151.

ſume of ſixteen thouſand pounds of tobacco beſides their lawfull perquiſites, and that it ſhall and may be lawfull for the veſtry or veſtryes of any pariſh or pariſhes and they are by vertue of this act authorized and impowered to raiſe and levy the ſame in their reſpective pariſh or pariſhes, as alſo to levy five per cent for collecting and paying the ſaid tobacco convenient.

And be it further enacted by the authority aforeſaid, That it ſhall and may be lawfull for the veſtry and veſtries of all and every pariſh and pariſhes to appoint the church-wardens off whome they think fitt to collect and receive the miniſters or other pariſh dues, and the ſaid perſon or perſons ſoe qualified as aforeſaid, ſhall be and are hereby impowered in caſe of non-payment to make diſtreſs for the ſame.

An be it further enacted by the authority aforeſaid, That all and every veſtry and veſtryes in this dominion ſhall bee and are hereby authorized and impowered where the ſame is not allready done to purchaſe and lay out a tract of land for the glebe att their diſcretion and att the charge of their reſpective pariſhes. And likewiſe to build and errect a convenient dwelling houſe for the reception and aboad of the miniſter of ſuch pariſh or pariſhes att the diſcretion of ſuch veſtry or veſtryes. *Provided allwayes*, and it is the true intent and meaning of this act, that if any veſtry or veſtryes of any pariſh or pariſhes ſhall find their pariſhes to be ſo ſmall and poor and not to be able to allow and maintaine a miniſter as aforeſaid, that then application of the veſtry or veſtries to the governour of the time being, that their reſpective pariſhes may be united and conſolidated to the next adjacent parriſh or pariſhes. And, *whereas* the clerk of the regiſters fee ſeems to be ſo ſmall an incouragement for an office of ſoe much truſt,

Bee it enacted by the authority aforeſaid, and it is hereby enacted, That every clerk of the regiſter ſhall and may lawfully by vertue of this act take and demand the ſume of five pounds of tobacco or ſixpence for recording and regiſtering every birth, burial or marriage and the church wardens of the ſaid pariſh or pariſhes or any other perſon or perſons appointed by the veſtry or veſtryes are hereby authoriſed and impowered to collect the ſame, or in caſe of non-payment to make diſtreſs.

In 1748 a reviſion of this law was effected which eſtabliſhed the value of inſpected tobacco at ſixteen ſhillings and eight pence per one hundred pounds. This was fifty per cent in exceſs of the valuation of tobacco in 1696, when the law fixing the clergy's ſalary ſixteen thouſand pounds was enacted. It became neceſſary, therefore, to effect an underſtanding whereby the annual allowance of the clergy ſhould not exceed in aggregate the actual value placed upon their ſervices by this act:

AN ACT[1] *FOR THE SUPPORT OF THE CLERGY; AND FOR THE REGULAR COLLECTING AND PAYING THE PARISH LEVIES.*

I. Be it enacted, by the Lieutenant Governor, Council, and Burgeſſes, of this preſent General Aſſembly, and it is hereby enacted by the authority of the ſame, That every miniſter now preferred, or hereafter to be preferred to, or received into any pariſh within this dominion, ſhall have and receive an annual ſalary of ſixteen thouſand pounds of tobacco, and caſk, with an allowance of four *per cent.* for ſhrinkage, to be levied, aſſeſſed, collected and paid, in manner herein after directed.

II. *And be it further enacted by the authority aforeſaid*, That the veſtry or every pariſh within this dominion ſhall, and they are hereby authoriſed and required, at ſome convenient time, before the firſt day of *December*, in each year, to meet and lay the pariſh levy; whereof public notice ſhall be given by the

1. Hening, VI, p. 88.

the miniſter or reader, at each church in the pariſh: And every veſtry is hereby authoriſed and required to levy and aſſeſs, upon the tithable perſons in their reſpective pariſhes, as well the miniſter's ſalary aforeſaid, as all other the pariſh charges, and alſo the legal allowances for caſk, where the tobacco due to any pariſh creditor ſhall be contracted for to be paid with caſk, together with the allowance of ſix per centum for collecting the pariſh levy.

III. *And be it further enacted by the authority aforeſaid*, That where any pariſh is or ſhall become vacant, by the death or removal of their miniſtry, the veſtry of ſuch pariſh ſhall have power to levy the ſalary aforeſaid, or any part thereof, for ſatiſfying ſome neighbouring or other miniſter, or miniſters, for ſerving in the cure of ſuch pariſh during the vacancy.

IV. And for the better collecting and paying the pariſh levies, *Be it further enacted by the authority aforeſaid*, That the veſtry of every pariſh reſpectively ſhall be, and is hereby authoriſed and impowered, to nominate and appoint ſuch perſon as they ſhall think fit, to collect and receive their pariſh levy, the perſon ſo appointed giving bond, with ſufficient ſecurities, that he will duly collect, pay, and ſatiſfy, unto the ſeveral pariſh creditors, all tobacco for them levied: And every ſuch collector, for his trouble, ſhall have the allowance herein before appointed, and ſhall alſo have full power and authority, by virtue of this act, upon refuſal of payment of the ſaid levies, or any part thereof, by any perſon or perſons chargeable therewith, to diſtrain the ſlaves, goods, and chattels, of the party refuſing, and to make ſale thereof, in the ſame manner as is by law directed for other diſtreſſes: And if the veſtry of any pariſh ſhall neglect or refuſe to levy the tobacco due to the miniſter, or other pariſh creditors, in ſuch caſe, all and every the veſtrymen of the pariſh neglecting, or refuſing, ſhall be liable to the action of the party grieved, his, or her executors, or adminiſtrators, for all damages which he or ſhe ſhall ſuſtain by ſuch refuſal or neglect.

V. *And be it further enacted by the authority aforeſaid*, That in every pariſh of this dominion, where a good and convenient glebe is not already purchaſed and appropriated, a good and convenient tract of land, to contain two hundred acres at the leaſt, ſhall be purchaſed by the veſtry, and aſſigned, and ſet apart for a glebe, for the uſe of the miniſter of ſuch pariſh, and his ſucceſſors, in all times hereafter; and where manſion, and other convenient out-houſes, are not already erected, for the habitation of the miniſter, *It is hereby declared, and enacted*, That the veſtry of every ſuch pariſh ſhall have power, and they are hereby authoriſed and required, to cauſe to be erected and built on ſuch glebe, one convenient manſion houſe, kitchen, barn, ſtable, dairy, meat houſe, corn houſe, and garden, well pailed, or incloſed with mud walls, with ſuch other conveniencies as they ſhall think fit, and to levy the charge of the glebe land, and buildings, on the tithable perſons in their reſpective pariſhes.

VI. And to the end the buildings already erected, or hereafter to be erected upon every glebe, may be kept in good repair, *It is hereby further enacted*, That every pariſh miniſter within this dominion ſhall, during the time of his being miniſter of the pariſh, keep and maintain the manſion houſe, and all other the out-houſes and conveniencies, erected, or to be erected on his glebe, in tenantable repair, and ſhall ſo leave the ſame at his removal from his pariſh, or death, accidents by fire, or tempteſt, only excepted: And in caſe any miniſter ſhall fail ſo to do, ſuch miniſter, his executors and adminiſtrators, ſhall be liable to the action of the churchwardens of the pariſh, for the time being, wherein the value of ſuch repairs ſhall be recovered in damages, with coſts of ſuit, and the damages ſo recovered, ſhlall be applied and laid out in making neceſſary repairs upon the glebe: And every veſtry of a vacant pariſh is hereby impowered and required, to put all the buildings upon the glebe of their pariſh, into ſuch good and ſufficient repair, as that the ſame may be fit for the reception of the ſucceeding miniſter: *Provided neverthelefs*, That any veſtry, who ſhall judge that the miniſter

miniſter has not wilfully committed any waſte on his glebe, may make ſuch neceſſary repairs, at the charge of their pariſh as they ſhall think fit: And every miniſter, received into any pariſh as aforeſaid, ſhall be entitled to all the ſpiritual and temporal benefits of his pariſh, and may maintain an action of treſpaſs againſt any perſon or perſons whatſoever, who ſhall diſturb him in the poſſeſſion and enjoyment thereof.

VII. And whereas it is doubted, how long the right of preſentation of a miniſter to a pariſh, remains in the veſtries in this colony: For ſettling that matter, *Be it further enacted, by the authority aforeſaid*, That the ſole right of preſentation ſhall be, and remain, in the ſeveral veſtries, for and during the term of twelve months next after a vacancy ſhall happen in their reſpective pariſhes.

VIII. *And be it further enacted, by the authority aforeſaid*, That one act made in the firſt year of the reign of his preſent majeſty, intituled, *An Act for the better ſupport of the clergy of this dominion; and for the more regular collecting and paying the pariſh levies:* And all and every other act and acts, clauſe and clauſes heretofore made, for or concerning and matter or thing within the purview of this act, ſhall be, and are hereby repealed.

IX. *And be it further enacted, by the authority aforeſaid*, That this act ſhall commence and be in force from and immediately after the tenth day of *June*, which ſhall be in the year of our Lord one thouſand ſeven hundred and fifty one.

In *October* 1755, the Burgeſſes finding that a great drought had cut ſhort the crop of tobacco, which would make it impoſſible for the people to meet their tobacco debts, they paſſed an act making it lawful for debtors to pay all debts, including taxes, in money, at the rate of ſixteen ſhillings and eight pence per one hundred pounds of tobacco. This was at the rate of two pence per pound, hence the act was known as "The Two Penny Act."

AN ACT[1] *TO ENABLE THE INHABITANTS OF THIS COLONY TO DISCHARGE THEIR TOBACCO DEBTS IN MONEY, FOR THIS PRESENT YEAR.*

I. WHEREAS by reaſon of the great drought a very ſmall quantity of tobacco is made, ſo that the inhabitants of this colony are not able to pay their public, county and pariſh levies, and the officers fees, and other tobacco debts in tobacco for this preſent year, according to the directions of the laws now in force; for remedy whereof, and to prevent the ſheriffs and other collectors of the public dues, from taking advantage of the neceſſities of the people, and exacting exorbitant prices for tobacco, due or payable to them from the poor and needy.

II. *BE it enacted, by the Lieutenant Governor, Council, and Burgeſſes, of this preſent General Aſſembly, and it is hereby enacted, by the authority of the ſame*, That it ſhall and may be lawful to and for any perſon or perſons, from whom any tobacco is due by judgment, for rent, by bond, or upon any contract, or for public, county and pariſh levies, or for any ſecretaries, clerks, ſheriffs, ſurveyors or other officers fees, or by any other ways or means whatſoever, to pay and ſatiſfy the ſame, either in tobacco, according to the directions of the act of Aſſembly, intitled, *An act for amending the ſtaple of tobacco, and preventing frauds in his majeſty's cuſtoms*, or in money, at the rate of ſixteen ſhillings and eight pence, for every hundred pounds of nett tobacco, and ſo in proportion for a greater or leſſer quantity, at the option of the payer: And the ſheriffs and other collectors ſhall, and they are hereby required to receive the ſame from any perſon or perſons, in diſcharge of any ſuch levies and officers fees; aforeſaid, ſhall account with, and pay to the perſons entitled to the ſame, in proportion to their ſeveral demands, all tobacco and money which they ſhall receive in payment

1. Hening, VI, p. 568.

ment of ſuch levies and fees, which ſhall diſcharge ſuch ſheriffs and collectors from any other demand for ſuch levies and fees, any law to the contrary thereof notwithſtanding.

III. *Provided always*, That nothing herein contained ſhall extend, or be conſtrued to extend, to any public, county, or pariſh levies, or officers fees now due or hereafter to become due, in any county where by law the inhabitants of ſuch county, are now impowered to diſcharge the ſame in money.

IV. *And be it further enacted*, That this act ſhall continue and be in force for the ſpace of ten months, and no longer.

The paſſage of this law marked the beginning of the breach between the Clergy and the Aſſembly, and gave riſe to one of the moſt important events in the hiſtory of Virginia. "As it was an effort to regulate a fluctuating currency, by one acknowledged to be the ſtandard, and only directed the value to be placed on that which had fluctuated, which was in the minds of the parties to the contracts involved, and of the legiſlature when the public taxes were laid, it was generally admitted to have been right and proper." As was anticipated, however, the value of tobacco roſe but the increaſe in price did not keep pace with it. This being advantageous to the clergy, they were unwilling to be denied the privilege of collecting their ſalaries in kind, and addreſſed a letter[1] to the Biſhop of *London*, aſking that the act be annulled by the King:

THE CLERGY OF VIRGINIA TO THE BISHOP OF LONDON.

Virginia,[1] *25, 1756.*

May it pleaſe your Lordſhip,

We the ſubſcribers being of the Eſtabliſhed Clergy in the Colony of Virginia, *humbly beg leave to repreſent to your Lordſhip the great hardſhips we at preſent lye under by an act of our legiſlature, paſt here in* Novr *laſt (a copy of which is encloſed), which we humbly conceive is a breaking in upon our eſtabliſhment, an inſult upon he Royal Prerogative & contrary to the liberty of the ſubject, as well as to natural Juſtice & Equity. This, may it pleaſe your Lordſhip, is a heavy charge; but yet, if upon a true & candid repreſentation of the caſe, your Lordſhip ſhall think as we do, we hope for your intereſt & interceſſion at the proper board to have this law, ſo far as it affects us, your Lordſhips's clergy, repealed.*

That your Lordſhip may be ſenſible of the hardſhips we complain of, be pleaſed to conſider, that there ever has been a ſtanding Law in this Colony & which has lately recd the Royal aſſent "that every beneficed Miniſter of the Chh of Engld *ſhall receive an annual Salary of 16,000 lbs of Tobacco, paid by the reſpective Pariſhioners, but this laſt year, becauſe ſmall Crops of Tobacco were made & a high price conſequently expected; our legiſlature in a new & unprecedented manner, have altered the law confirmed by the ſanction of royal aſſent, ſo far as to make it optional in the people, to pay either Money or Tobacco; & which is ſtill a greater hardſhip upon us, they have valued out Tobacco at an under rate, viz: at 2d per lb., when the market is generally expected to be 3d if not 4d per lb. (of this Currency which is at leaſt 25 per cent worſe than Sterlg & ſometimes more). When the market is low, which has been generally the caſe from 1724 till now, the Clergy are obliged to reſt ſatiſfied with what they can get for their Salaries which are but too Scanty at beſt, we therefore hope that your Lordſhip will think with us, that we ought in juſtice to have the benefit of the riſing market, but when your Lordſhip is pleaſed to conſider that this option law has a retroſpect & deprives us of a property earnt & due before it was a law, your Lordſhip may be ſatiſfied of this Retroſpect in the Law complained of, we beg your patience while we inform you, that the Veſtries (who have the Power by Law to Levy the Clergy's Salaries) take care not to Levy any Tobacco for their Pariſh Miniſter till it is due (i. e.) ſuppoſe we are recd into*

1. Perry: Hiſtorical Collections, Vol. I, p. 440.

into a Pariſh (for Inſtitution & Induction we have none), in the fall, when the Pariſh Levy is laid by Law; The Veſtries Levy no Tobacco for us till that time 12 Months & the Tobacco then Levied is not demandable by Law till the laſt of May following & perhaps not rec^d^ for ſome months after that, ſo that at our firſt ſetting out in the world, in low circumſtances, we are obliged to labor in our extenſive Pariſhes (ſome of which are 100, many 60 & 70, & the common extent of them 30 & 40 Miles in length), in extremeties of Weather both hot & cold for a year & a half at leaſt & ſometimes longer before we receive our Salaries: by which time many of us are obliged to run ſo much in debt that we can hardly ever after retrieve our circumſtances & all this time the Law we complain of has a retroſpect & deprives us of a property due by Virtue of a former law & a law too that has had the royal aſſent & purſuant to his Majeſty's inſtructions to the Govr cannot be altered or any other enacted in its place, without a ſuſpending clauſe, till his Majeſty's pleaſure is known (one of which inſtructions is, as we are aſſured, not to paſs or materially to alter any Law, in contradiction to one that has obtained the Royal aſſent for a year & a day; or till ſuch time as his Majeſty's pleaſure ſhall be known). Our legiſlature were ſo ſenſible that their option Law is contrary to Royal Prerogative & Inſtruction & withal ſo apprehenſive were they that it would be repealed, ſo ſoon as it was known at home; that to make ſure work of it, they enacted it to be in force for 10 months only, which was long enough for their purpoſe, as all Tobacco Payments would be over in that time; & yet a repeal could not be obtained. This may it pleaſe your Lordſhip is a true ſtate of the caſe, & one would think that there muſt needs be ſome extraordinary reaſons for paſſing ſo extraordinary a Law, yet when your Lordſhip is pleaſed to conſider theſe reaſons, they are ſuch as will by no mẽans, juſtify the conduct of the legiſlators, for in the 1^ſt^ Place, the ſmall quantity of Tobacco made (which ſeems to be their main argument), will by no means do it, for ſmall Crops of Tobacco are ſo far from being a loſs to the Country that in the opinion of the moſt diſcerning Judges, they are an advantage to it. To explain this to your Lordſhip, we beg leave to obſerve, that by reaſon of the great quantity of Tobacco commonly made, the Market is Overſtockt; & the low prices given are hardly able to ſupport the Planters. But if there was leſs made, the market would riſe in proportion & the Planter would get as much for his ſmall quantity, as he at any time would, for his greater. This our legiſlature are ſo well aware of, that they have made ſeveral attempts to leſſen the quantity of Tobacco, by a Stint law & now when Providence has made a ſtint to their hands by an uncommon Drought in the Summer & a Froſt early in the fall, it is very hard that the Clergy ſhould be denied the benefit of it. The next reaſon given for paſſing the law is, to prevent frauds & impoſitions in Collectors. But we humbly apprehend, that this law now complained of, will be ſo far from anſwering this pretended good end, that it will open a door to greater frauds & impoſitions than any Law ever yet did, for as it leaves it to the option of the Payer, to pay either Money or Tobacco, the collector will be ſure to make his advantage by it & pay to public Creditors what beſt ſuits his intereſt which in ſuch a multitude of Payers, he may ſafely do without the leaſt riſk of being detected. Another Scheme our Legiſlators fell upon, to make their option law go down & to gloſs over the injury intended by it to our eſtabtiſhment, was to tack our Salaries to placemen's fees, for if your Lordſhip pleaſes to obſerve, they do not ſtrike at us directly & ſeparately, but covertly, & in conjunction with Secretaries, Clerks, Sheriffs & other Tobacco Creditors. 'Tis very true, May it pleaſe your Lordſhip, that all Tobacco Creditors are ſufferers by this law, but none ſo much as the Clergy; as our all depends upon it & the retroſpect of the Law affects us much more, than it does any other Tobacco Creditors. But the moſt material thing in our favor is, that our Salaries have had the Royal aſſent and therefore cannot be taken from us or diminiſhed in any reſpect, by any Law made here without trampling upon the Royal Prerogative, & ſurely there is a vaſt difference between the eſtab-

liſhed

liſhed clergy's livings, ſecured to us by Royal Sanction, & placemen's fees, which never had that Sanction, but are temporary & variable & diſcretionary in the legſlature according to the exigence of the Country. In the laſt place, the law is colored over with charity & compaſſion to the poor. If this was really the deſign of the *law, we beg leave to anſwer your Lordſhip that none are more ready & willing to promote charitable deſigns, than the Clergy are here according to our abilities. But if the more obvious deſigns of the Law ſhould appear to be a ſaving & ſelfintereſt to the rich & great, we hope the law will be ſtript of this diſguiſe & view'd in its proper Colors, & that this is really the Caſe, will we doubt not appear to your Lordſhip when you are pleaſed to conſider that all our public dues are paid in Tobacco at a certain proportion for every titheable (taxable), perſon (taxable perſons are all white males above 16 years of age & all negroes both male and female of that age). Now it is manifeſt, that the rich man who pays for inſtance for 100 tithables (& ſome have ſeveral Hundreds), muſt ſave 100 times as much by the law as the Poor man who has but one tithable & many none at all. There is no Charity therefore in the law, unleſs it be that Charity which of all others may moſt truly & properly be ſaid to begin at home, at the Legiſlator's own home. Had the Law had a reſpect to the poor & them only, the Clergy would have cheerfully acquieſced in it, but we think it hard that the whole Burden ſhould be laid upon us; nay, that near half a Salary ſhould be taken from us by law & diſtributed among the rich & the great (which is really the caſe here), & not among the Poor. Theſe are the plauſible reaſons given for paſſing this act & we muſt ſubmit to your Lordſhip whether or not they will juſtify our Legiſlature in what they have done. As in our humble opinion the rights of the King & Church are ſtruck at, we the eſtabliſhed Clergy who think ourſelves inſtruſted with the Patrimony of the Church reckon it our indiſpenſable duty to acquaint your Lordſhip with this encroachment & all we deſire is to have the free uſe & diſpoſal of our properties & to hold our livings (ſmall as they are), Independent of thoſe who have hitherto ſhewn us good will. If it ſhould after all be objected to the juſtneſs of our complaint, that other Tobacco creditors are ſufferers as well as we, & yet they acquieſce under the law complained of; we anſ^r that the reaſon why they do not complain is, becauſe their fees are entirely diſcretionary in the Legiſlature, who would ſurely have docked them had they not acquieſced. The Salaries we ought to receive next* June, *purſuant to a former Law were due before the law we now complain of was made, & were we to receive them in due courſe we believe upon the beſt computation, we ſhould not receive the 10th part of the Tobacco made this year even where the Crops are ſmalleſt, nor the 20th part take the Crops upon an average all over the Country; & in other years one with another, not the 50th part of what is commonly made. Our being deprived of the benefit of this riſing market, will ſtill keep us in debt in & ſo in a dependant State, a thing much aimed at by the great men of this Country & not only ſo, but it will ſink our Credit with our Mother Country, by putting it out of our power to ſhip home our Tobacco, towards diſcharging our debts already contracted in* Great Britain, *& for importing from thence many neceſſary of life, which conſequently we muſt buy here at a high advance, at leaſt double the firſt coſt. There is no doubt but thoſe leading gentlemen of the Legiſlature, who were principally concerned in paſſing this act, will or have already ſent home ſome juſtification of their conduct, & may Poſſibly repreſent both it & us in a light neither deſerves. If it ſhould be ſo, as we are a poor helpleſs ſet of men, we have nothing to rely upon but the juſtice of our cauſe & your Lordſhip's favor & protection, which we implore only upon condition, that it ſhall appear to your Lordſhip that we are ill uſed & have reaſon to complain; which ſurely is the caſe, ſo long as we are both ſubjected to ſuch laws as make property precarious & while the legiſlature aſſume a power to take from us by one Law what they gave us by another as is notoriouſly our caſe & which your Lordſhip may be ſatiſfied of, by comparing the Clergy Law of 1748 which then had the Sanction of*

the

the Royal aſſent, with this option Law of 1755 which we hope never will obtain that Sanction. 'Tis with great concern that we are obliged to take this opportunity to acquaint your Lordſhip that the eſtabliſhed Church & Clergy are upon a very precarious footing in this Colony, but tho' often ill uſed yet they have never been totally deſerted by every branch of the legiſlature till now. And ſince in this our unhappy ſituation at preſent we have the more need of a friend at court & we humbly think, that we cannot apply ſo properly to any friend as to your Lordſhip our worthy Dioceſan & as we have already experienced your Lordſhip's goodneſs in ſupporting our cauſe, when we were attacked in our title, by one great man, in the caſe of the late M^r^* Kay, we flatter ourſelves that we ſhall have the continuance of your favor & protection, when we are now ſtruck at in our properties by the whole legiſlative body of this Dominon; who, we muſt ſay it, have diſtinguiſhed themſelves in their mal-treatment of the Clergy. For Virginia *&* Maryland, *are the only 2 Gov^s^* *where Tobacco is the ſtaple & where the Clergy are paid in that commodity, & tho' there are as ſhort crops made there as here & tho' the* Maryland *Clergy receive yearly, near twice as much Tobacco as we do in* Virginia, *yet there there is no Option Law in that Gov^t^* *nor any attempt made to Subvert their Eſtabliſhment. As we are the moſt numerous Clergy of any one of his Majeſty's Colonies & have done Nothing to forfeit the protection of the legiſlature, 'tis very hard that we ſhould be ſingled out & made the only ſufferers. Were we not apprehenſive that we have already treſpaſſed upon our Lordſhip's patience we could ſet forth ſundry other pernicious conſequences of this Law, particularly how prejudicial to religion & the propogation of the Goſpel in this part of the world, ſuch treatment of the Clergy muſt be; for ſurely it cannot but diſcourage us in the diſcharge of our Miniſterial duty & in a great meaſure defeat our power of doing good among our people who are but too apt to follow the example of their ſuperiors in treating the Clergy with ſcorn & contempt. It muſt alſo have a threatening aſpect upon all uſeful ſeminaries of Learning particularly the College of* Willm *&* Mary *in this Colony, founded by Royal Charter, in which Seminary our youth are educated in ſeveral uſeful branches of learning & ſome trained up for the miniſtry. For in our opinion no man will give his Son a liberal education or bring him up for the Miniſtry under ſuch diſcouraging circumſtances, & no Clergyman of worth & learning will ever come from* Britain *to ſettle here, where he will be ſo far from meeting with due protection, that he runs the riſk of being denied the rights & privileges of a free born ſubject. We alſo humbly conceive that the making ſuch a law eſpecially at this time, is highly impolitic in a* Church of Engl^d^ *Legiſlature. For of late, Diſſenters of ſeveral denominations have ſettled here and are gaining ground among us, who make it their buſineſs not only to divide our Church & ſeduce the unwary from our communion, but miſs no opportunity of raiſing their own reputation upon the ruin of that of the eſtabliſhed clergy. Here then is the beſt opportunity for them to exult & triumph. And now to conclude this long Epiſtle, we beg leave to aſſure your Lordſhip, that the whole body of the Clergy of this dominion, unanimouſly lay to heart the grievances we complain of & the reaſon why ſo few names are ſubſcribed to this, is chiefly owing to the great diſtance between our reſpective habitations & becauſe your Lordſhip's Commiſſary judged it unadviſable to call a convention of the Clergy; but withal aſſured us that he would heartily eſpouſe our cauſe & Second our addreſſes to your Lordſhip, & as he thinks that private repreſentations will better anſ^r^ our purpoſe, we have no other method left but to form ourſelves into ſmall Brotherhoods & in this way to ſue for redreſs. So throwing ourſelves & our cauſe on your Lordſhip's favor & protection & in hopes that your Lordſhip will uſe your intereſt with his Majeſty & the Miniſtry that the evils we complain of may be redreſſ'd & ſuch relief afforded to your Lordſhip's ſuffering Clergy as his Majeſty in his great wiſdom & goodneſs ſhall think fit, we beg leave to ſubſcribe ourſelves,*

May

May it pleaſe your Lordſhip,
Your Lordſhip's moſt dutiful & obd^t Sons & Servants,

JN^O BRUNSKILL, Sen,^r *in the 40th year of my Miniſtry.*
HEN^Y DUNBAR, *in the 30th year of my Miniſtry.*
PATRICK HENRY, *in the 24th year of my Miniſtry.*
ALEX. WHITE, *in the 11th year of my Miniſtry.*
JN^O ROBERTSON, *in the 11th year of my Miniſtry.*
ALEX. FINNIE, *in the 31ſ^t year of my Miniſtry in the Country.*
THO^S WILKINSON, *in the 3rd year of my Miniſtry.*
PETER DAVID, *in the 5th year of my Miniſtry.*
JN^O BARCLAY,
W^M WILLIE, *in the 18th year of my Miniſtry.*

In 1758 it was again apparent to the Aſſembly that a ſhort crop of tobacco would be produced, and an act ſimilar to the act of 1755 was immediately paſſed. This act on upon the part of the Aſſembly renewed with much bitterneſs, the feeling of diſſatiſfaction upon the part of the Clergy of the Colony, and was the direct cauſe of uniting them in oppoſition to the wiſhes of the people:

AN ACT[1] *TO ENABLE THE INHABITANTS OF THIS COLONY TO DISCHARGE THEIR PUBLIC DUES, OFFICERS FEES, AND OTHER TOBACCO DEBTS, IN MONEY, FOR THE ENSUING YEAR.*

I. It being evident, from the prodigious diminution of our ſtaple commodity occaſioned by the unſeaſonableneſs of the weather in moſt parts of the colony, that there will not be tobacco made to anſwer the common demands of the country; and it being certainly expedient at all ſuch time to prevent, as much as poſſible, the diſtreſſes that muſt inevitably attend ſuch a ſcarcity: *Be it therefore enacted, by the Lieutenant Governor, Council and Burgeſſes, of this preſent General Aſſembly, and it is hereby enacted, by the authority of the ſame,* That it ſhall and may be lawful to and for any perſon or perſons, from whom any tobacco is due by judgment, for rent, by bond, or upon any contract, or for public, county, or pariſh levies; or for any ſecretary's, clerks, ſheriffs, ſurveyors, or other officers fees, or by any other ways or means whatſoever, to pay and ſatiſfy the ſame either in tobacco, according to the directions of the act of aſſemlby, instituled, *An Act for amending the ſtaple of tobacco, and preventing frauds in his majeſty's cuſtoms*, or in money, at the rate of ſixteen ſhilling and eight pence for every hundred pounds of nett tobacco, and ſo in proportion for a greater or leſſer quantity, at the option of the payer; and the ſheriffs and other collectors ſhall, and they are hereby required to receive the ſame from any perſon or perſons in diſcharge of any ſuch levies and officers fees; and the ſheriffs or other collectors of the levies and fees aforeſaid, ſhall account with, and pay to the perſons entitled to the ſame, in proportion to their ſeveral demands, all tobacco and money which they ſhall receive in payments of ſuch levies and fees, which ſhall diſcharge ſuch ſheriffs and collectors from any other demands for ſuch levies and fees, any law to the contrary thereof notwithſtanding.

II. *Provided always*, That nothing herein contained ſhall extend, or be conſtrued to extend, to any public, county, or pariſh levies, or officers fees now due, or hereafter to become due, in any county by law the inhabitants of ſuch county are now impowered to diſcharge the ſame in money.

III. *Provided alſo*, That nothing herein contained ſhall extend to any contract made for tobacco before the paſſing of this act, where the money or goods given for ſuch tobacco have been *bona fide* paid at a greater rate than ſixteen ſhillings and eight pence per hundred, as aforeſaid, but that all ſuch contracts

1 Hening, VII, p. 240

tracts ſhall be diſcharged in tobacco according to the terms of ſuch contracts, or in money according to the price really given for ſuch tobacco, together with the lawful intereſt ariſing on the ſame to the time of paying the ſame, at the option of the perſon or perſons from whom the tobacco would have been due, had this act never been paſſed.

IV. *And be it further enacted*, That this act ſhall continue and be in force for one year, and no longer.

As neither this act or the act of 1755, had the clauſe ſuſpending its operation until royal ſanction was ſecured, they at once became operative, which reſulted in the Aſſembly being aſſailed by the Rev. *John Camm* and other clergy of the *Virginia* Dioceſe. On this queſtion the clergy were divided, many of them declaring that they preferred to ſhare the miſfortunes of the Colony, rather than reap the additional revenues reſulting to them under the act ſtipulating that their ſalary ſhould be paid at the rate of ſixteen thouſand pounds of tobacco annually.

In 1759 it was found neceſſary to paſs a law[1] explaining the act of 1758. This act determined that nothing contained in the act referred to ſhould be conſtrued as applying to any ſheriff or other collectors of levies and office fees, who had received ſuch levies and fees and had not paid them into the public treaſury.

As the reſult of the various acts on this ſubject and the great diſcontent of the clergy, who claimed that their rights had been placed in jeopardy, various ſuits followed. None, however, attracted ſuch intereſt as did the ſuit of the Rev. *James Maury* of the Pariſh of *Frederickſville*, in *Louiſa* County. On *April* 1ſt 1762, this gentleman brought ſuit in the name of the veſtry of his Pariſh, againſt *Thomas Johnſon* and *Tarlton Brown*, collectors of the pariſh levies and the ſureties on their official bond. The legal talent in this famous caſe conſiſted of *Peter Lyons*, a ſtrong and able lawyer, who later became Preſident of the *Virginia* Court of Appeals and *Patrick Henry*, the original defender of Colonial rights and author of the reſolutions againſt the Stamp Act. The defendants were firſt repreſented by *John Lewis*, a counſel of conſiderable ſtanding, who relied entirely upon the act of *September* 14th 1758, to ſuſtain the cauſe of his clients. The plaintiff demurring to this plea upon the ground of being inſufficient, the queſtion of the validity of the act was at once raiſed. On *November* 5th 1763, the demurrer was argued and ſuſtained, the court declaring the act to be null and void. This deciſion left nothing to be aſcertained by the jury but the amount of the damages, which conſiſted of the differences between the money actually paid the Rev. *James Maury* and the value of the tobacco to which he was entitled. This turn of affairs aſſumed a very favorable aſpect for the clergy, who fully expected that the jury would give them the amount of damages claimed.

At this juncture *Patrick Henry's* ſervices were ſecured by the defendants and the caſe ſet for trial for the *December* term of court, which began on the firſt day of that month. At this trial the ſheriff ſelected a jury that was not ſatiſfactory to the plaintiff, there being only two members of it in the claſs known as gentlemen. *Henry*, however, inſiſted that they were honeſt men, and, therefore, unexceptionable. This point being upheld by the court the following jurors were ſworn and ſerved: *Benjamin Anderſon*, *John Wingfield*, *George Dabney*, *John Thornton*, *Samuel Morris*, *Brewſter Sims*, *William Claybrook*, *Stephen Willis*, *Jacob Hundly*, *Roger Shackelford*, *John Blackwell*, and *Benjamin Oliver*.

The plaintiffs counſel after introducing other teſtimony, offered in evidence the bonds of the defendants, as collectors, and the order of the veſtry directing a levy to be made for the ſalary of Mr *Maury*, in 1759. Believing this to be all the evidence that was neceſſary for them to produce the plaintiffs reſted their caſe. The only evidence introduced by the defendants was Mr *Maury's* receipt for £144, the ſame being the receipt for the tobacco due him as commuted by the act of the Aſſembly.

The line of argument taken in this celebrated caſe has been preſerved in part by *William Wirt Henry*, in his "*Life of Patrick Henry*," [Vol .I, p. 36] and in a letter from the

1. Hening, VII, p, 277

the Rev. *John Maury*, plaintiff in the caſe, to the Rev. *John Camm*, printed in "*Memoirs of a Huguenot Family*" by *Fontaine*.

It having been determined that the act was null and void, it only remained for the jury to ſettle the amount of damages to be received by the plaintiff. The court had upheld that the jury muſt return a verdict in favor of the plaintiff, but they need not find more than one farthing damages. After conſidering the matter for five minutes, the jury returned a verdict in favor of the plaintiff for one penny, and as the court refuſed to conſider a motion for a new trial, one of the greateſt caſes of Colonial times ended.

As early as 1755 the differences between the Aſſembly and the Clergy in the caſe juſt narrated became a ſubject of general diſcuſſion. Numerous pamphlets were alſo written upon the ſubject, the firſt being the work of *Landon Carter* of *Sabine Hall*, an ardent advocate of the people's rights and a cloſe ſtudent of economy. This pamphlet, which was printed in 1759, did not appear under *Carter's* name, he uſing the pſeudonym, "*A Member of the Church of England:*"

CARTER, LANDON.

A | Letter[1] | to the | Right Reverend Father in God | The Lord B[iſho]p of *L[ondo]n.* | *Occaſioned by a Letter of his Lordſhip's to the L[or]ds* | *of Trade, on the Subject of the Act of Aſſembly, paſſed* | *in the Year 1758, intituled,* An Act to enable the | Inhabitants of this Colony to diſcharge their pub | lick Dues, &c. in Money for the enſuing Year, | from *Virginia.* | [1759.]

Title page. Corrections, pp. 1–2; *Text*, pp. 3–56; 21.5 x14 cm.

Carter in this publication ſtrongly upholds the Aſſembly in creating the Acts of 1755 and 1758, and argues that the clergy of *Virginia* fancied themſelves aggrieved. He likewiſe comments freely upon the Remonſtrance of the clergy, and calls the Biſhop of *London* to account for his views expreſſed in his letter to the Board of Trade under date of *June* 14th 1759.

The next important publication bearing on this ſubject was written by *Richard Bland* in 1760, under the following title:

BLAND, RICHARD

A | Letter[2] | to the | Clergy of *Virginia*, | in which. | The Conduct of the General-Aſſembly is vindicated, | Againſt | The Reflexiona contained in a Letter to the Lords | of Trade and Plantations, from the Lord-Biſhop | of *London*, | By *Richard Bland*, Eſq; one of the Repreſentatives in | *Aſſembly* for the County of *Prince-George.* | . . | *Williamſburg*: | Printed by *William Hunter.* | MDCCLX. |

Title page. "Copy of a Letter from the Lord-Biſhop of *London*, to the Lords of Trade and Plantations," (dated *Fulham*, *June* 14, 1759.) pp. *iii-vi Text*, pp. *3–20*. *Bland's* letter is dated at the end, "*Jordan's*, *March* 20, 1760." 19 x 12 cm.

In this publication *Bland* replied, as did *Landon Carter*, to the following letter written by the Biſhop of *London* to the Lords of Trade and Plantations. This communication which occaſioned ſuch determined oppoſition upon the part of the Colony to the views of the clergy, was written at *Fulham*, *June* 14th 1759:

Fulham,[3] *June 14th 1759*

My Lords,

I have conſidered the Act from Virginia, *referred to me: It ſeems to be the Work of Men conſcious to themſelves that they were doing wrong: for, though it is very well known that the Intention of the Act is to abridge the Maintenance of the Clergy, yet the Framers of the Act have ſtudiouſly avoided naming them, or properly deſcribing them, throughout the Act; ſo that it may be doubted whether, in a legal Conſtruction, they are included or not. But, to take the Act as they meant it, and as every Body underſtands it, we muſt firſt conſider by what Authority the Aſſembly acted, in paſſing ſuch a Law; and, in the next Place, how inconſiſtent the Proviſion of the Act was with Juſtice and Equity: The Subject-Matter of the Act, as far as the Clergy are concerned, was ſettled before by the Act of Aſſembly; which Act has the Royal*

[1] Virginia State Library. Boſton Athenaeum. [2] Boston Athenaeum.
[3] Perry: Hiſtorical Collections, Vol. I, p. 461

Royal Aſſent and Confirmation, and could not be repealed by a leſſer Power than made it; and, to make an Act to ſuſpend the Operation of the Royal Act, is an Attempt which in ſome Times would have been called Treaſon, and I do not know any other Name for it in our Law.

If they had brought in an Act of Repeal, to take Place from the Time they could obtain the King's Aſſent to the ſaid Act of Repeal, they would have been blameleſs; but, to aſſume a Power to bind the King's Hands, and to ſay how far his Power ſhall go, and where it ſhall ſtop, is ſuch an Act of Supremacy as is inconſiſtent with the Dignity of the Church of England, *and manifeſtly tends to draw the People of the Plantations from their Allegiance to the King, when they find they have a higher Power to protect them: Whether or not ſuch an Effect be produced, I know not; but, ſurely it is Time to look about us, and to conſider the ſeveral Steps lately taken to the Diminution of the Prerogative and Influence of the Crown; lately taken, I ſay: Becauſe, within a few Years paſt,* Virginia *was a well-ordered and well-regulated Colony, and lived in Submiſſion to the Power ſet over them; they were all Members of the Church of* England, *and no Diſſenters amongſt them; the Clergy reſpected, and well uſed by the People; but theſe Days are over, and they ſeem now to have nothing more at Heart than to leſſen the Influence of the Crown and the Maintenance of the Clergy, both which ends will be effectually ſerved by the Act now under our Conſideration.*

It was not till the Year 1748 that this Spirit began to ſhow itſelf, at which Time an Act of Aſſembly paſſed, by which the Patronage of all the Livings in the Colony were taken from the Crown, and given the Veſtry in the ſeveral Pariſhes; and yet this Act received the Royal Aſſent, upon what Inducements, I know not: But it was obſervable, that the Aſſembly did not care to attack the Rights of the Crown, and that of the Clergy, at the ſame Time; and therefore, in the ſame Act of 1748, there is the ſtrongeſt Confirmation of the Clergy's Right to their full Proportion of Tobacco, without any Diminution whatſoever, which Proviſion was meant to ſilence the Complaints of the Clergy againſt the other Part of the Act; and Reaſon they had to Complain, when, inſtead of the Royal Authority, they were put under the Power of the Veſtry and made ſubject to the Humours of the People.

That no Good was finally intended the Clergy, is manifeſt from hence, that no ſooner were they in Poſſeſſion of the Patronages, but they wanted alſo to be abſolute Maſters of the Maintenance of the Clergy; in which Attempt, they proceeded warily, and endeavoured to bring in the Scheme by Degrees; and accordingly, in the Year 1755, the Clergy in the Counties of Princeſs Anne *and* Norfolk *were deprived of their Tobacco, and forced to accept of a Compenſation in Money, very much to their Loſs.*

The ſame Year produced a general Act, but a temporary one, and was followed by a very extraordinary Reſolution of the Council; the Caſe was this: The Aſſembly had paſſed the Act; when it came to the Governor for his Aſſent, he boggled at it; and, for his own Security, thought proper to adviſe with the Council, that is, with the very Perſons who had been the Promoters of it; he tells them, he apprehended it interfered with the Law confirmed by his Majeſty in regard to the Allowance provided for the Clergy.

Here the Caſe is fully ſtated: It is admitted, that the Maintenance of the Clergy had the King's Confirmation; and that the Governor, by his Inſtructions, is reſtrained from altering it; but it ſeems the Act confirmed by his Majeſty, appointed 16,000 Pounds of Tobacco to each Clergyman. The Act upon which this Advice was aſked took no Notice of the Quantity of Tobacco allowed to the Clergy, but made it ſubject to a Compenſation in Money, which was to be rated by the very Perſons who were liable to the Payment of the whole: Upon this Circumſtance the Council gave their Judgment, and declared it was the Opinion of the Board, that this Bill was not contradictory to that Law, inſomuch as it by no Means leſſened the Quantity of Tobacco allowed the Clergy, but only aſcertained the Price thereof to be

paid

paid in Money for all Dues, as well to Officers as to the Clergy.

This Declaration is a formal Judgment in the Caſe, ſtated between the Authority of the Crown and the Power of the Aſſembly, and ſubjected the Laws eſtabliſhed by the Royal Aſſent to be altered corrected or ſuſpended, by a Vote of the Aſſembly.

The Lieutenant-Governour wanted ſomething of an Excuſe for what he was ſtrongly inclined to do, and a very ſad one they furniſhed him with. What made him ſo zealous in the Cauſe, I pretend not to judge; but ſurely the great Change which manifeſtly appears in the Tempers and Diſpoſition of the People in that Colony, in the Compaſs of a few Years, deſerves highly to be conſidered; and the more ſo, as the Deputy-Governour and Council ſeem to act in Concert with the People, to lend their Authority to ſupport their unreaſonable Demands: But one would think, upon Conſideration of ſome late Tranſactions there, that the Deputy-Governours thought themſelves obliged, upon their firſt Entrance, to make a Preſent to the Veſtries of the Maintenance of the Clergy, the Juriſdiction of the Prerogative and the Supremacy and Rights of the Crown.

As to the Want of Juſtice and Equity ſhewed in the Act to the Clergy, the Caſe is too plain to admit of any Reflexion upon it: If the Crown does not or cannot ſupport itſelf in ſo plain a Caſe, as is before us, it would be in vain for the Clergy to plead the Act confirmed by the King; for their Rights muſt ſtand, or fall, with the Authority of the Crown.

I am, my Lords,

Your moſt obedient humble Servant,

T. LONDON.

The next publication bearing on the queſtion at iſſue between the Clergy and the Aſſembly, was a pamphlet by the Rev. *John Camm*, printed at *Annapolis, Md.*, in 1763. So far as is known not a copy of this publication is extant, though *Sabin* records it in his "*Bibliotheca Americana*" Vol. 3, p. 254. In this publication *Camm* endeavoured to comment directly upon the act in queſtion and ſarcaſtically refers to its "beneficial and wholeſome effect in *York-Hampton* Pariſh." He likewiſe replies, as the title indicates, to the juſtice and charity exhibited by *Landon Carter*, in, "*A Letter to the Right Reverend Father in God, The Lord Biſhop of London.*". . . and to Bland's "*A Letter to the Clergy of Virginia*," . . pamphlets already referred to as bearing on this subject:

CAMM,[1] REV. JOHN

A Single and Diſtinct View of the Act, Vulgarly entitled, Three-Penny Act; Containing an Account of its beneficial and wholeſome effect in *York-Hampton* Pariſh. In which is exhibited A Specimen of Col. *Landon Carter's* Juſtice and Charity; as well as of Col. *Richard Bland's* Salus Populi. By the Reverend *John Camm*. . . . *Annapolis*, Printed by *Jonas Green*, for the Author. 1763.

4to. 55 pp.

The next contribution to the literature on this ſubject was publiſhed in 1764, by *Landon Carter*, under the title of the "*Rector Detected*" . . . In this pamphlet *Carter* undertakes to juſtify the Two Penny Act, and boldly ſtates that the Rev. *John Camm* miſrepreſented facts relative to the queſtion at iſſue:

CARTER,[2] LANDON

The | Rector Detected: | Being a | Juſt Defence of the Two-penny Act, | Againſt the artful Miſrepreſentations of the | Reverend *John Camm*, | Rector of *York-Hampton*, | in his | Single and Diſtinct View. | Containing alſo a plain Confutation of his ſeveral | Hints, as a Specimen of the Juſtice and Charity | of Colonel *Landon Carter*. | By *Landon Carter*, of *Sabine Hall*. | . . . *Williamſburg*: | Printed by *Joſeph Royle*. MDCCLXIV. |

Title page. Introduction, pp. 3–4. *Text*, pp. 5–39. Errata, [1] p. 17.5 x 15 cm.

The Rev. *John Camm* reviewed the "*Rector Detected*" ſhortly after it appeared in print, his pamphlet being the laſt publication of note bearing on the queſtion. Coming

[1] No copy found. [2] Boſton Athenaeum

Coming at a time when the iſſues between the clergy and the people had been ſettled, the pamphlet attracted little, if any, attention. Aſſociated with the foregoing pamphlets, however, conſiderable light is thrown upon the cauſe of the clergy, and as ſuch conſtitute a diſtinct claſs of literature which clearly denotes, not only the exiſtence of an iſſue, but a very marked exhibition of perſonal opinion and diſpleaſure:

CAMM,[1] JOHN

A | Review | of | The Rector Detected: | or the | Colonel | Reconnoitered. | Part of the Firſt. | . . | *Williamſburg*: | Printed by *Joſeph Royle*, MDCCLXIV. |

Title page. Text, pp. 3–29 19 x 15.5 cm.

The arguments the clergy ſet forth to maintain their poſition created intenſe feeling throughout the Colony, and was a prime factor in bringing about the ſeparation of the Church and State. The influence exerciſed by the clergy prior to their attempt to dictate to the Aſſembly was very marked. Their cauſe, however, was put to a very ſevere teſt at this time, and the defeat adminiſtered them by the various juries to which their cauſes were ſubmitted, was a blow from which they never fully recovered.

The Rev. *John Maury* in reciting to the Rev. *John Camm* the incidents of the trial of this cauſe, gives a very entertaining account of this caſe, and ſo far as is known it is the moſt prominent expreſſion of Mr *Maury* on the ſubject:

December[2] *12th, 1763.*

To the Rev. John Camm.

Dear Sir:—

Now that I am ſomewhat at leiſure, than when I wrote to you by Major Winſton, *from* Hanover, *ſome few days ago, I have ſat down to give you the beſt account I can of the moſt material paſſages in the trial of my cauſe againſt the Collectors in that Court, both to ſatiffy your own curioſity, and to enable the lawyer, by whom it is to be managed in the General Court, to form ſome judgment of its merits. I believe, ſir, you were adviſed from* Nov'r *Court, that the Bench had adjudged the twopenny act to be no law; and that, at the next, a jury, on a writ of inquiry, were to examine whether the Plaintiff had ſuſtained any damages, and what. Accordingly, at* December *Court, a ſelect jury was ordered to be ſummoned; but, how far they who gave the order, wiſhed or inteded it to be regarded, you may judge from the ſequel. The Sheriff went into a public room, full of gentlemen, and told his errand. One excuſed himſelf* (Peter Robinſon *of* King William) *as having already given his opinion in a ſimilar caſe. On this, as a perſon then preſent told me, he immediately left the room, without ſummoning any one perſon there. He afterwards met another gentleman* (Richard Sq. Taylor) *on the green, and, on his ſaying he was not fit to ſerve, being a churchwarden, he took upon himſelf to excuſe him, too, and, as far as I can learn, made no further attempts to ſummon gentlemen. Theſe, You'll ſay, were but feeble endeavors to comply with the directions of the Court in that particular. Hence, he went among the vulgar herd. After he had ſelected and ſet down upon his liſt about eight or ten of theſe, I met him with it in his hand, and on looking over it, obſerved to him that they were not ſuch jurors as the Court had directed him to get, being people of whom I had never heard before, except one, whom, I told him, he knew to be a party in the cauſe, as one of the Collector's Securities, and, therefore, not fit for a juror on that occaſion. Yet this man's name was not eraſed. He was even called in Court, and, had he not excuſed himſelf, would probably have been admitted. For, I cannot recollect, that the Court expreſſed either ſurpriſe or diſlike that a more proper jury had not been ſummoned. Nay, though I objected againſt them, yet, as* Patrick Henry *(one of the Defendant's lawyers) inſiſted they were honeſt men, and, therefore, unexceptionable, they were immediately called to the book and ſworn. Three of them, as I was afterwards told, nay, ſome ſaid four, were Diſſenters of that denomination called* New Lights, *which the Sheriff, as they were all his acquaintance, muſt have known. Meſſrs.* Gift *and* McDowall, *the two moſt conſiderable purchaſ-*

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[1] Boſton Athenaeum. Lenox Library. [2] Fontaine--Memoirs of a Huguenot Family.

ers in that county, were now called in to prove the price of tobacco, and ſworn. The teſtimony of the former imported, that, during the months of May *and* June, *1759, tobacco had currently ſold at 50 s. per hundred, and that himſelf, at or about the latter end of the laſt of thoſe months, had ſold ſome hundreds of hhds. at that price, and, amongſt the reſt, one hundred to be delivered in the month of* Auguſt, *which, however, were not delivered till* September. *That of the latter only proved, "That 50 s. was the current price to tobacco that ſeaſon." This was the ſum of the evidence for the Plaintiff. Againſt him, was produced a receipt to the Collector, to the beſt of my remembrance in theſe words: "Received of* Thomas Johnſon, *Jun'r, at this and ſome former payments, £144, current money, by* James Maury." *After the lawyers on both ſides had diſplayed the force and weight of the evidence, pro and con to their Honors, the jurors, and one of thoſe who appeared for the Defendants had obſerved to them that they muſt find, (or if they must find, I am not ſure which, but think the former) for the Plaintiff, but need not find more than one farthing; they went out, and, according to inſtruction (though whether according to evidence or not, I leave you to judge), in leſs than five minutes brought in a verdict for the Plaintiff, one penny damages.* Mr Lyons *urged, as the verdict was contrary to evidence, the jury ought to be ſent out again. But no notice was taken of it, and the verdict admitted without heſitation by the Bench. He then moved to have the evidence of Meſſrs.* Giſt *and* McDowell *recorded, with as little effect. His next motion, which was for a new trial, ſhared the ſame fate. He then moved it might be admitted to record, "that he had made a motion for a new trial, becauſe he conſidered the verdict contrary to evidence, and that the motion had been rejected;" which, after much altercation, was agreed to. He laſtly moved for an appeal, which, too, was granted. This, ſir, as well as I can remember, is a juſt and impartial narrative of the moſt material occurences in the trial of that cauſe. One occurrence more, tho' not eſſential to the cauſe, I can't help mentioning, as a ſtriking inſtance of the loyalty, impartiality and attachment of the Bench to the Church of* England *in particular, and to religion at large.* Mr Henry, *mentioned above (who had been called in by the Defendants, as we ſuſpected, to do what I ſome time ago told you of), after* Mr Lyons *had opened the cauſe, roſe and harrangued the jury for near an hour. This harangue turned upon points as much out of his own depths, and that of the jury, as they were foreign from the purpoſe; which it would be impertinent to mention here. However, after he had diſcuſſed thoſe points, he labored to prove "that the act of 1758 had every characteriſtic of a good law; that it was a law of general utility, and could not, conſiſtently with what he called the original com pact between King and people, ſtipulating protection on the one hand and obedience on the other be annulled." Hence, he inferred, "that a King, by diſallowing Acts of this ſalutary nature, from being the father of his people, degenerated into a Tyrant and forfeits all right to his ſubjects' obedience." He further urged, "that the only uſe of an Eſtabliſhed Church and Clergy in ſociety, is to enforce obedience to civil ſanctions, and that the obſervance of thoſe which are called duties of imperfect obligation; that, when a Clergy ceaſes to anſwer theſe ends, the community have no further need of their miniſtry, and may juſtly ſtrip them of their appointments; that the Clergy of* Virginia, *in this particular inſtance of their refuſing to acquieſce in the law in queſtion, had been ſo far from anſwering, that they had moſt notoriouſly counteracted, thoſe great ends of their inſtitution; that, therefore, inſtead of uſeful members of the ſtate, they ought to be conſidered as enemies of the community; and that, in the caſe now before them,* Mr Maury, *inſtead of countenance, and protection and damages, very juſtly deſerved to be puniſhed with ſignal ſeverity." And then he perorates to the following purpoſe, "that excepting they (the jury) were diſpoſed to rivet the chains of bondage on their own necks, he hoped they would not let ſlip the opportunity which now offered, of making such an example of him as might, hereafter, be a warning to himſelf and his brethren, not to have the temerity, for the future, to diſpute the validity of ſuch laws, authenticated by the only authority, which*

which, in his conception, could give force to laws for the government of this Colony, the authority of a legal repreſentative of a Council, and of a kind and benevolent and patriot Governor." You'll obſerve I do not pretend to remember his words, but take this to have been the ſum and ſubſtance of this of his labored oration. When he came to that part of it where he undertook to aſſert, "that a King, by annulling or diſallowing acts of ſo ſalutary a nature, from being the Father of his people degenerated into a Tyrant, and forfeits all right to his ſubjects' obedience;" the more ſober part of the audience were ſtruck with horror. M Lyons[r] *called out aloud, and with an honeſt warmth, to the Bench, "That the gentleman had ſpoken treaſon," and expreſſed his aſtoniſhment "that their worſhip could hear it without emotion, or any mark of diſſatiſfaction." At the ſame inſtant, too, amongſt ſome gentlemen in the crowd behind me, was a confuſed murmur of Treaſon, Treaſon! Yet M[r]* Henry *went on in the ſame treaſonable and licentious ſtrain, without interruption from the Bench, nay, even without receiving the leaſt exterior notice of their diſapprobation. One of the jury, too, was ſo highly pleaſed with theſe doctrines, that, as I was afterwards told, he every now and then gave the traitorous declaimer a nod of approbation. After the Court was adjourned, he apologiſed to me for what he had ſaid, alleging that his ſole view in engaging in the cauſe, and in ſaying what he had, was to render himſelf popular. You ſee, then, it is ſo clear a point in this perſon's opinion, that the ready road to popularity here, is, to trample under foot the intereſts of religion, the rights of the church, and the perogative of the crown. If this be not pleading for the "aſſumption of a power to bind the King's hands," if it be aſſerting "ſuch ſupremacy in provincial Legiſlatures" as is inconſiſtent with the dignity of the Church of* England, *and manifeſtly tends to draw the people of theſe plantations from their allegiance to the King, tell me, my dear ſir, what is ſo, if you can. M[r]* Cootes, *merchant on* James *River, after Court, ſaid "he would have given a conſiderable ſum out of his own pocket, rather than his friend* Patrick *ſhould have been guilty of a crime, but little, if any thing inferior to that which brought* Simon *Lord* Lovatt *to the block;" and juſtly obſerved that he exceeded the moſt ſeditious and inflammatory harangues of the Tribunes of old* Rome.

My warmeſt wiſhes and prayers ever attend you. And beſides theſe there is little elſe in the power of, my dear Camm,

Your affectionate,

J. MAURY

The verdict of the Jury in this Caſe, ſettled the queſtion for once and for all, as little effort was made thereafter by the clergy to ſecure the rights accorded them under the Act of 1698. They did appeal to the Governor upon the ground of oppreſſion, and while he conſented to grant the appeal the matter was never brought prominently before the people again. This caſe, which attained ſuch prominence, likewiſe awarded to *Patrick Henry*, the poſition of the leading counſel in the Colony, which is atteſted by the fact of the exiſtence of his fee books now depoſited at *Red Hill*, in *Charlotte* County, where this great lawyer and orator is buried. Theſe books ſhow beyond a doubt that M[r] *Henry* had a large practice prior to 1763, but after figuring ſo prominently in the "Parson's Cause," his labors increaſed to ſuch an extent that he was compelled to decline to be aſſociated with many caſes which he would, under other circumſtances have become identified.

Following the treaty of *Paris*, in 1763, great joy was manifeſt throughout the Colonies. By this treaty the poſſeſſions of *Great Britain* had increaſed to ſuch an extent as to advance her to the higheſt place among the nations of the earth. In no part of the *Britiſh* poſſeſſions was joy more genuine than in *America*, as in the language of *James Otis*, "We in *America* have abundant reaſon to rejoice. The heathen are driven out and the *Canadians* conquered. *Britiſh* dominion now extends from ſea to ſea and from the great rivers to the end of the earth; liberty and knowledge, civil and religious, will co-

extend

extend, improve and preſerve, to the lateſt poſterity. What God in his providence has united let no man dare to pull aſunder."

Bright as the future ſeemed to be for *America* at this time, the Colonies were deſtined to a reſtriction of the liberty extended to them by the various charters under which they were created. The vaſt expenſes attending the Colonial wars, determined *Great Britain* to renew the tax on ſugar and molaſſes imported into the Colonies. The rigid enforcement of the Navigation Acts was alſo decided upon and all officers, civil and military, received inſtructions to put an end to illicit traffic and to ſubmit all queſtions of this kind to the Courts of Admiralty rather than to the *American* juries. In order to ſtimulate action, officers making ſeizures were given emoluments in caſes of forfeiture, which at once aſſumed the form of an oppreſſion in the higheſt degree, as there was no appeal ſave that granted by the Privy Council in *England*. The deciſion of the Courts of Admiralty were, to all intents and purpoſes final, as the coſts attending ſuch an action made it impoſſible to carry a caſe to the higher court. Information was alſo conveyed to the Colonies by their Agents, that an attempt had been made to alter the Colonial charters ſo as to deſtroy the influence of the various aſſemblies. It was alſo the intent of the Crown to create a ſtanding army to be ſtationed in *America*, and to impoſe a tax on the Colonies to ſupport it. Such was the outlook at the cloſe of 1763, and the general feeling pervaded the Colonies that almoſt anything detrimental to their intereſts could be expected.

George Grenville, who had ſucceeded to the miniſtry, realizing that nothing could be accompliſhed by changing the charters of the reſpective Colonies, informed all Colonial agents that this plan would be abandoned. He was fully determined, however, to impoſe a stamp tax, unleſs the Colonies could ſuggeſt an equally efficient method of taxation. No action of this kind being poſſible in *America* in ſo ſhort a time, it was determined to paſs a ſet of declaratory reſolves, which were adopted on *March* 9th, 1764. Theſe Reſolutions were agreed to on the 17th of the ſame month, and heartily approved by the King, who maintained that the regulations which had been eſtabliſhed were wiſe, and that it was right and proper to augment the public revenues, and to "unite the intereſts of the moſt diſtant poſſeſſions of the Crown, and to encourage and ſecure their commerce with *Great Britain*."

Theſe reſolves greatly arouſed *America* and public meetings were held in every Colony. The opponents of the tax were called "Whigs" and "Patriots," while thoſe in favor of it were termed "Loyaliſts," "Tories" and "Friends of Government." Proteſts from nearly all the Colonies againſt the propoſed tax were forwarded to *Great Britain*, and in reply, the miniſtry declared that they had only aſked the Colonies to indicate an acceptable tax, and did not deſire them to ſubmit reaſons why they ſhould not defray a part of the expenſes of the Home Government. The Colonies were alſo adviſed that the tax had been determined upon, and that the various proteſts had *had* the effect of promoting legiſlation of this kind.

Oppoſition being determined upon in *Virginia*, an addreſs to his Majeſty, Memorials to the Lords and Commons and to the Agent of this Colony were adopted on *Tueſday* the 18th of *December*, 1764. In theſe Memorials the Burgeſſes maintained the loyalty of *Virginia*, but ſet forth that freedom could not exiſt where taxes were laid upon a people without their conſent or by their legal repreſentatives. It was alſo thought ſuch an action would create an additional burden upon the Colony as well as being deſtructive to the intereſts of *Great Britain*.

TO THE KING'S MOST EXCELLENT MAJESTY.

MOST GRACIOUS SOVEREIGN.

We your Majeſty's dutiful and loyal Subjects, the Council and Burgeſſes of your ancient Colony and Dominion of *Virginia*, now met in General Aſſembly, beg Leave to aſſure your Majeſty of our firm and inviolable Attachment to your ſacred Perſon and Government; and as your faithful Subjects here have at all Times

Times been zealous to demonſtrate this Truth, by a ready Compliance with the Royal Requiſitions during the late War, by which a heavy and oppreſſive Debt of near Half a Million hath been incurred, ſo at this Time they implore Permiſſion to approach the Throne with humble Confidence, and to intreat that your Majeſty will be graciously pleaſed to protect your People of this Colony in the Enjoyment of their ancient and ineſtimable Right of being governed by ſuch Laws reſpecting their internal Polity and Taxation as are derived from their own Conſent, with the Approbation of their Sovereign or his Subſtitute: A Right which as Men, and Deſcendants of *Britons*, they have ever quietly poſſeſſed ſince firſt by Royal Permiſſion and Encourgagement they left the Mother Kingdom to extend its Commerce and Dominion.

Your Majeſty's dutiful Subjects of *Virginia* moſt humbly and unanimouſly hope that this invaluable Birthright, deſcended to them from their Anceſtors, and in which they have been protected by your Royal Predeceſſors, will not be ſuffered to receive an Injury under the Reign of your Sacred Majeſty, already ſo illuſtriouſly diſtinguiſhed by your gracious Attention to the Liberties of the People.

That your Majeſty may long live to make Nations happy is the ardent Prayer of your faithful Subjects, the Council and Burgeſſes of *Virginia*.

TO THE RIGHT HONOURABLE THE LORDS SPIRITUAL AND TEMPORAL IN PARLIAMENT ASSEMBLED:

The Memorial of the Council and Burgeſſes of Virginia, now met in General Aſſembly,

Humbly repreſents,

That your Memorialiſts hope on Application to your Lordſhips, the fixed and hereditary Guardians of *Britiſh* Liberty, will not be thought improper at this Time, when Meaſures are propoſed ſubverſive, as they conceive, of that Freedom which all Men, eſpecailly thoſe who derive their Conſtitution from *Britain*, have a Right to enjoy; and they flatter themſelves that your Lordſhips will not look upon them as Objects ſo unworthy your Attention as to regard any Impropriety in the Form or Manner of their Application, for your Lordſhips Protection of their juſt and undoubted Rights as *Britons*.

It cannot be Preſumption in your Memorialiſts to call themſelves by this diſtinguiſhed Name, ſince they are deſcended from *Britons* who left their native Country to extend its Territory and Dominion, and who happily for *Britain*, and as your Memorialiſts once thought for themſelves too, effected this Purpoſe. As our Anceſtors brought with them every Right and Privilege they could with Juſtice claim in their Mother Kingdom, their Deſcendants may conclude they cannot be deprived of thoſe Rights without Injuſtice.

Your Memorialiſts conceive it to be a fundamental Principle of the *Britiſh* Conſtitution, without which Freedom can no Where exiſt, that the People are not ſubject to any Taxes but ſuch as are laid on them by their own Conſent, or by thoſe who are legally appointed to repreſent them: Property muſt become too precarious for the Genius of a free People which can be taken from them at the Will of others, who cannot know what Taxes ſuch People can bear, or the eaſieſt Mode of raiſing them; and who are not under that Reſtraint, which is the greateſt Security againſt a burthenſome Taxation, when the Repreſentatives themſelves muſt be affected by every Tax impoſed on the People.

Your Memorialiſts are therefore led into an humble Confidence that your Lordſhips will not think any Reaſon ſufficient to ſupport ſuch a Power in the *Britiſh* Parliament, where the Colonies cannot be repreſented; a Power never before conſtitutionally aſſumed, and which if they have a Right to exerciſe on any Occaſion muſt neceſſarily eſtabliſh this melancholy Truth, that the Inhabitants of the Colonies are the Slaves of *Britons*, from whom they are deſcended,

and

and from whom they might expect every Indulgence that the Obligations of Intereſt and Affection can entitle them to.

Your Memorialiſts have been inveſted with the Right of taxing their own People from the firſt Eſtabliſhment of a regular Government in the Colony, and Requiſitions have been conſtantly made to them by their Sovereigns on all Occaſions when the Aſſiſtance of the Colony was thought neceſſary to preſerve the *Britiſh* Intereſt in *America*; from whence they muſt conclude they cannot now be deprived of a Right thev have ſo long enjoyed, and which they have never forfeited.

The Expenſes incurred during the laſt War, in Compliance with the Demands on this Colony by our late and preſent moſt gracious Sovereigns, have involved us in a Debt of near Half a Million; a Debt not likely to decreaſe under the continued Expenſe we are at in providing for the Security of the People againſt the Incurſions of our ſavage Neighbors, at a Time when the low ſtate of our Staple Commodity, the total Want of Specie, and the late Reſtrictions upon the Trade of the Colonies, render the Circumſtances of the People extremely diſtreſſful, and which, if Taxes are accumulated upon them by the *Britiſh* Parliament, will make them truly deplorable.

Your Memorialiſts cannot ſuggeſt to themſelves any Reaſon why they ſhould not ſtill be truſted with the Property of their People, with whoſe Abilities, and the leaſt burthenſome Mode of taxing (with great Deference to the ſuperior Wiſdom of Parliament) they muſt be beſt acquainted.

Your Memorialiſts hope they ſhall not be ſuſpected of being actuated on this Occaſion by any Principles but thoſe of the pureſt Loyalty and Affection as they always endeavoured by their Conduct to demonſtrate that they conſider their Connexions with *Great Britain*, the Seat of Liberty, as their greateſt Happineſs.

The Duty they owe to themſelves and their Poſterity lays your Memorialiſts under the Neceſſity of endeavouring to eſtabliſh their Conſtitution upon its proper Foundation; and they do moſt humbly pray your Lordſhips to take this Subject into your Conſideration with the Attention that is due to the Well being of the Colonies, on which the Proſperity of *Great Britain* does in a great Meaſure depend.

TO THE RIGHT HONOURABLE THE KNIGHTS, CITIZENS, AND BURGESSES OF GREAT BRITAIN, IN PARLIAMENT ASSEMBLED:

The Remonſtrance of the Council and Burgeſſes of Virginia.

It appearing by the printed Votes of the Houſe of Commons of *Great Britain* in Parliament aſſembled that in a Committee of the whole Houſe, the 17th Day of *March* laſt, it was reſolved that towards defending, protecting, and ſecuring the *Britiſh* Colonies and Plantations in *America*, it may be proper to charge certain Stamp Duties in the ſaid Colonies and Plantations; and it being apprehended that the ſame Subject, which was then declined, may be reſumed and further purſued in a ſucceeding Seſſion, the Council and Burgeſſes of *Virginia*, met in General Aſſembly, judge it their indiſpenſable Duty, in a reſpectful Manner, but with decent Firmneſs, to remonſtrate againſt ſuch a Meaſure, that at leaſt a Ceſſion of thoſe Rights, which in their Opinion muſt be infringed by that Procedure, may not be inferred from their Silence, at ſo important a Criſis.

They conceive it is eſſential to *Britiſh* Liberty that Laws impoſing Taxes on the People ought not to be made without the Conſent of Repreſentatives choſen by themſelves; who, at the ſame Time that they are acquainted with the Circumſtances of their Conſtituents, ſuſtain a Proportion of the Burthen laid on them. This Privilege, inherent in the Perſons who diſcovered and ſettled theſe Regions, could not be renounced or forfeited by their Removal hither, not as

Vagabonds

Vagabonds or Fugitives, but licenſed and encouraged by their Prince and animated with a laudable Deſire of enlarging the *Britiſh* Dominion, and extending its Commerce: On the contrary, it was ſecured to them and their Deſcendants, with all other Rights and Immunities of *Britiſh* Subjects, by a Royal Charter, which hath been invariably recogniſed and confirmed by his Majeſty and his Predeceſſors in their Commiſſions to the ſeveral Governours, granting a Power, and preſcribing a Form of Legiſlation; according to which, Laws for the Adminiſtration of Juſtice, and for the Welfare and good Government of the Colony, have been hitherto enacted by the Governour, Council, and General Aſſembly, and to them Requiſitions and Applications for Supplies have been directed by the Crown. As an Inſtance of the Opinion which former Sovereigns entertained of theſe Rights and Privileges, we beg Leave to refer to three Acts of the General Aſſembly paſſed in the 32^{d} Year of the Reign of King *Charles II* (one of which is entitled An Act for raiſing a Publick Revenue for the better Support of the Government of his Majeſty's Colony of *Virginia*, impoſing ſeveral Duties for that Purpoſe) which they thought abſolutely neceſſary, were prepared in *England*, and ſent over by their then Governour, the Lord *Culpeper*, to be paſſed by the General Aſſembly, with a full Power to give the Royal Aſſent thereto; and which were accordingly paſſed, after ſeveral Amendments were made to them here: Thus tender was his Majeſty of the Rights of his *American* Subjects; and the Remonſtrants do not diſcern by what Diſtinction they can be deprived of that ſacred Birthright and moſt valuable Inheritance by their Fellow Subjects, nor with what Propriety they can be taxed or affected in their Eſtates by the Parliament, wherein they are not, and indeed cannot, conſtitutionally be repreſented.

And if it were proper for the Parliament to impoſe Taxes on the Colonies at all, which the Remonſtrants take Leave to think would be inconſiſtent with the fundamental Principles of the Conſtitution, the Exerciſe of that Power at this Time would be ruinous to *Virginia*, who exerted herſelf in the late War it is feared beyond her Strength, inſomuch that to redeem the Money granted for that Exigence her People are taxed for ſeveral Years to come: This, with the large Expenſes incurred for defending the Frontiers againſt the reſtleſs *Indians*, who have infeſted her as much ſince the Peace as before, is ſo grievous that an Increaſe of the Burthen will be intolerable; eſpecially as the People are very greatly diſtreſſed already from the Scarcity of circulating Caſh amongſt them, and from the little Value of their Staple at the *Britiſh* Markets.

And is it preſumed that adding to that Load which the Colony now labors under will not be more oppreſſive to her People than deſtructive of the Intereſt of *Great Britain*: For the Plantation Trade, confined as it is to the Mother Country, hath been a principal Means of multiplying and enriching her Inhabitants; and, if not too much diſcouraged, may prove an inexhauſtible Source of Treaſure to the Nation. For Satiſfaction in this Point, let the preſent State of the *Britiſh* Fleets and Trade be compared with what they were before the Settlement of the Colonies; and let it be conſidered that whilſt Property in Land may be acquired on very eaſy Terms, in the vaſt uncultivated Territory of *North America*, the Coloniſts will be moſtly, if not wholly, employed in Agriculture; whereby the Exportation of their Commodities of *Great Britain*, and the Conſumption of their Manufactures ſupplied from thence, will be daily increaſing. But this moſt deſirable Connexion between *Great Britain* and her Colonies, ſupported by ſuch a happy Intercourſe of reciprocal Benefits as is continually advancing the Proſperity of both, muſt be interrupted, if the People of the latter, reduced to extreme Poverty, ſhould be compelled to manufacture thoſe Articles they have been hitherto furniſhed with from the former.

From theſe Conſiderations, it is hoped that the Honourable Houſe of Commons will not proſecute a Meaſure which thoſe who may ſuffer under it cannot but

but look upon as fitter for Exiles driven from their native Country after ignominiouſly forfeiting her Favours and Protection, than for the Proſperity of *Britons* who have at all Times been forward to demonſtrate all due Reverence to the Mother Kingdom, and are ſo inſtrumental in promoting her Glory and Felicity; and that *Britiſh* Patriots will never conſent to the Exerciſe of anti-conſtitutional Power, which even in this remote Corner may be dangerous in its Example to the interiour Parts of the *Britiſh* Empire, and will certainly be detrimental to its Commerce.

Six days after theſe Memorials had been adopted, Governor *Fauquier* adviſed the Board of Trade of the action of the Aſſembly, and ſtated that while he had not ſeen the Memorials in queſtion, he was ſatiſfied they would not be acceptable to *Great Britain:*

W^m^ſburg^1^ Decr 24th 1764.

My Lords,

In my letter to your Right Honble Board of the 16th Ult.^o^ I did myſelf the honor to tranſmit to your Lordſhips my ſpeech at the opening of the Seſſion, and the Addreſſes of the Council and Burgeſſes. I have now adjourned them to the 1^ſt^ day of May *next. The approach of the holidays and the almoſt neceſſary preſence of the Burgeſſes at home to look after their own plantations, made a receſs from buſineſs expedient, and a prorogation would have defeated all the progreſs they have made in the buſineſs before them, particularly the Tobacco Law, the conſideration of which had taken them up a fortnight in the Committee of the whole Houſe.*

I am informed they have jointly ordered an addreſs to His Majeſty and a memorial to the Houſe of Peers, with another to the Houſe of Commons, to their Agent, to be by him promptly recommended to be preſented as directed. In the reſolutions of the Houſe of Burgeſſes the terms are very warm and indecent as Your Lordſhips will obſerve in their Journals; but I have been told by ſome Gentlemen of the Committee appointed to draw them up, that their whole ſtudy has been to endeavour to mollify them, and they have reaſon to hope there is nothing now in them which will give the leaſt offence. I have not yet ſeen them, but when they are fairly tranſcribed and the diſpatches made up for their Agent, I apprehend they will be communicated to me, as all other diſpatches are. The Subject matter of them is praying to be permitted to tax themſelves. I thought it my duty to give your Lordſhips the moſt early intelligence of this matter in my power. . . .

I am with great reſpect
My Lords
Your Lordſhips moſt obedient and devoted Servant
FRAN: FAUQUIER.

Without conſideration of the various Memorials of the Colonies proteſting againſt taxation, *Grenville* offered fifty-five reſolutions, embracing the Stamp Act details, on *February* 6th 1765. In his addreſs, prior to delivering the reſolutions in queſtion, he maintained that the Colonies being afforded protection by Parliament, that Parliament had the right to lay a revenue upon them; that ſuch protection meant a ſtanding army, and that in order to maintain this body of men it was neceſſary to levy taxes; that the debt of *Great Britain* amounted to one hundred and forty millions ſterling, while the Colonial debt did not exceed eight hundred thouſand pounds, and that the Colonies paid but ſeventy-five thouſand pounds annually for the ſupport of their reſpective governments He likewiſe declared that the charters interpoſed no obſtacle in the form of a parliamentary tax, and that the Colonies were conſtructively repreſented in Parliament. A lengthy debate in the intereſts of the Colonies reſulted, but without avail, as the act was paſſed on *Febraury* 27th, 1765. At the time of this diſcuſſion an effort was made to read the proteſts of the various Colonies, but this privilege was denied, and on *March* 8th following, the Houſe of Lords, without a ſingle diſſenting voice agreed to the act in queſtion. On *March* 22nd royal aſſent was ſecured, but it was determined that the law ſhould not become operative until *November* 1^ſt^ following:

Whereas

[1] Bancroft Tranſcripts—Library of Congreſs.

STAMP ACT.

Whereas, by an act made in the laſt ſeſſion of Parliament, ſeveral duties were granted, continued, and appropriated towards defraying the expenſes of defending, protecting, and ſecuring the *Britiſh* colonies and plantations in *America;* and *whereas* it is firſt neceſſary that proviſion be made for raiſing a further revenue within your Majeſty's dominions in *America*, towards defraying the ſaid expenſes; we, your Majeſty's moſt dutiful and loyal ſubjects, the Commons of *Great Britain*, in Parliament aſſembled, have therefore reſolved to give and grant unto your Majeſty the ſeveral rights and duties hereinafter mentioned; and do moſt humbly beſeech your Majeſty that it may be enacted. And be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent Parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of *November*, one thouſand ſeven hundred and ſixty -five, there ſhall be raiſed, levies, collected, and paid unto his Majeſty, his heirs and ſucceſſors, throughout the colonies and plantations in *America*, which now are, or hereafter may be, under the dominion of his Majeſty, his heirs and ſucceſſors:

1. For every ſkin of piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed written, or printed any declaration, plea, replication, rejoinder, demurrer, or other pleading, or any copy thereof in any court of law within the *Britiſh* colonies and plantations in *America*, a ſtamp duty of three pence.

2. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall he engroſſed, written, or printed any ſpecial bail, and appearance upon ſuch bail in any ſuch court, a ſtamp duty of two ſhillings.

3. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which may be engroſſed, written, or printed any petition, bill, or anſwer, claim, plea, replication, rejoinder, demurrer, or other pleading, in any court of chancery or equity within the ſaid colonies and plantations, a ſtamp act of one ſhilling and ſix pence.

4. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written, or printed any copy of any petition, bill anſwer, claim, plea, replication, rejoiner, demurrer, or other pleading, in any ſuch court, a ſtamp duty of three pence.

5. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written, or printed any monition, libel, anſwer, allegation, inventory, renunciation, in eccleſiaſtical matters, in any ocourt f probate, court of the ordinary, or other court exerciſing eccleſiaſtical juriſdiction within the ſaid colonies and plantations, a ſtamp duty of one ſhilling.

6. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written, or printed any copy of any will (other than the probate thereof), monition, libel, anſwer, allegation, inventory, or renunciation, in eccleſiaſtical matters in any ſuch court a ſtamp duty of ſix pence.

7. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written, or printed any donation, preſentation, collation or inſtitution, of or to any benefice, or any writ or inſtrument for the like purpoſe, or any regiſter, entry, teſtimonial, or certificate of any degree taken in any univerſity, academy, college, or ſeminary of learning, within the ſaid colonies and plantations, a ſtamp duty of two pounds.

8. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper on, which ſhall be engroſſed, written, or printed any monition, libel, claim, anſwer, allegation, information, letter of requeſt, execution , renunciation, inventory

inventory, or other pleading, in any admiralty court within the ſaid colonies and plantations, a ſtamp duty of one ſhilling.

9. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which any copy of any ſuch monition, libel, claim, anſwer, allegation, information, letter of requeſt, execution, renunciation, inventory, or other pleading ſhall be engroſſed, written, or printed, a ſtamp duty of ſix pence.

10, For every ſkin or price of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written or printed any appeal, writ of error, writ dower, *ad quo damnum*, *certiorari*, ſtatute merchant, ſtatute ſtaple, atteſtation, or certificate, by any officer, or exemplification of any record or proceeding, in any court whatſoever, within the ſaid colonies and plantations (except appeals, writs of error, *certiorari*, atteſtations, certificates, and exemplications, tor, or relating to the removal of any proceedings from before a ſingle juſtice of the peace) a ſtamp duty of ten ſhillings.

11. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written, or printed any writ of covenant for levying fines, writ of entry for ſuffering a common recovery or attachment iſſuing out of or returnable into any court within the ſaid colonies and plantations, a ſtamp duty of five ſhillings.

12. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written, or printed any judgment, decree, or ſentence, or diſmiſſion, or any record of *niſi prius* or *poſtea*, in any court within the ſaid colonies and plantations, a ſtamp duty of four ſhillings.

13. For every ſkin or piece of vellum or parchment, or ſheet of paper, on which ſhall be engroſſed, written, or printed any affidavit, common bail, or appearance, interrogatory, depoſition, rule, order or warrant of any court, or any *dedimus poteſtament*, capias subpoena, ſummons, compulſory citation, commiſſion, recognizance, or any other proceeding therein whatſoever, or any copy thereof, or of any record not hereinbefore charged, within the ſaid colonies and plantations (except warrants relating to criminal matters, and proceedings thereon, or relating thereto), a ſtamp duty of one ſhilling

14. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written, or printed any note or bill of lading, which ſhall be ſigned for any kind of goods wares or merchandiſe, to be exported from, or any cocket or clearance granted within the ſaid colonies and plantation a ſtamp duty of four pence.

15. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written, or printed letters of mart or commiſſion for private ſhips-of-war, within the ſaid colonies and plantations, a ſtamp duty of twenty ſhillings.

16. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall he engroſſed, written, or printed any grant, appointment, or admiſſion of or to any public beneficial office or employment, for the ſpace of one year, or any leſſer time, of or above twenty pounds per annum ſterling money, in ſalary, fees, and perquiſites, within the ſaid colonies and plantations except commiſſions and appointments of officers of the army, navy, ordnance, or militia, of judges, and of juſtices of the peace), a ſtamp duty of ten ſhillings.

17. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which any grant, of any liberty, privilege, or franchiſe, under the ſeal or ſign manual of any governor, proprietor, or public officer, alone or in conſejunction with any other perſon or perſons, or with any council, or any council and aſſembly, or any exemplification of the ſame, ſhall be engroſſed, written, or printed within the ſaid colonies and plantations, a ſtamp duty of ſix pounds.

18. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written, or printed any licenſe for retailing ſpirituous

ſpirituous liquors, to be granted to any perſon who ſhall take out the ſame, within the ſaid colonies and plantations, a ſtamp duty of twenty ſhillings.

19. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written, or printed any licenſe for retailing of wine, to be granted to any perſon who ſhall not take out a licenſe for retailing of ſpirituous liquors, within the ſaid colonies and plantations, a ſtamp duty of four pounds.

20. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written, or printed any licenſe for retailing of ſpirituous liquors, within the ſaid colonies and plantations, a ſtamp duty of three pounds.

21. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written, or printed any probate of will, letters of adminiſtration, or of guardianſhip for any eſtate above the value of twenty pounds ſterling money, within the *Britiſh* colonies and plantations upon the continent of *America*, the iſlands belonging thereto, and the *Bermuda* and *Bahama* iſlands, a ſtamp duty of five ſhillings.

22. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written, or printed any ſuch probate, letters of adminiſtration or of guardianſhip, within all other parts of the *Britiſh* domin- in *America*, a ſtamp duty of ten ſhillings.

23. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written, or printed any bond for ſecuring the payment of any ſum of money, not exceeding the ſum of ten pounds ſterling money, within the *Britiſh* colonies and plantations upon the continent of *Amer- ica*, the iſlands belonging thereto, and the *Bermuda* and *Bahama* iſlands, a ſtamp duty of ſix pence.

24. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written or printed any bond for ſecuring the payment of any ſum of money above ten pounds and not exceeding twenty pounds ſterling money, within ſuch colonies, plantations, and iſlands, a ſtamp duty of one ſhilling.

25. For every ſkin or piece of vellum or parchment, or ſhe et or piece of paper, on which ſhall be engroſſed, written, or printed any bond for ſecuring the payment of any ſum of money above twenty pounds and not exceeding forty pound ſterling money, within ſuch colonies and plantations and iſlands, a ſtamp duty of one ſhilling and ſix pence.

26. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written or printed any order or warrant for ſurveying or ſetting out any quantities of land not exceeding 100 acres, iſſued by any governor, proprietor,or any public officer, alone or in conjunction with any other perſon or perſons, or with any council, or any council or aſſembly,

27. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written, or printed any ſuch order or warrant for ſurveying or ſetting out any quantity of land above 100 and not exceeding 200 acres, within the ſaid colonies and plantations, a ſtamp duty of one ſhilling.

28. For every ſkin or piece of vellum or parchment,or ſheet or piece of paper on which ſhall be engroſſed, written or printed any ſuch order or warrant for ſurveying or ſetting out any quantity of land above 200 and not exceeding 320 acres, and in proportion for every ſuch order or warrant for ſurveying or ſetting out every other 320 acres, within the ſaid colonies and plantations, a ſtamp duty of one ſhilling and ſix pence.

29. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written or printed any original grant or any

deed

deed, meſne conveyance, or other inſtrument whatſoever, by which any quantity of land not exceeding 100 acres ſhall be granted, conveyed, or aſſigned, within the *Britiſh* colonies and plantations upon the continent of *America* the iſlands belonging thereto, and the *Bermuda* and *Bahama* iſllands (except leaſes for any term not exceeding the term of twenty-one years), a ſtamp duty of one ſhilling and ſix pence.

30. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written, or printed any ſuch original grant, or any ſuch deed, meſne, conveyance, or other inſtrument whatſoever, by which any quantity of land above 100 and not exceeding 200 acres ſhall be granted, conveyed, or aſſigned, within ſuch colonies, plantations, and iſlands, a ſtamp duty of two ſhillings.

31. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written, or printed any ſuch original grant, or any ſuch deed, meſne, conveyance or other inſtrument whatſoever, by which any quantity of land above 200 and not exceeding 320 acres ſhall be granted, conveyed, or aſſigned, and in proportion for every ſuch grant, deed, meſne, conveyance or other inſtrument, granting, conveying, or aſſigning every other 320 acres, within ſuch colonies, plantations, and iſlands, a ſtamp duty of two ſhillings and ſix pence.

32. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written, or printed any ſuch original grant, or any ſuch deed, meſne conveyance, or other inſtrument whatſoever, by which any quantity of land not exceeding 100 acres ſhall be granted, conveyed, or aſſigned, within all other parts of the *Britiſh* dominion in *America*, a ſtamp duty of three ſhillings.

33. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper on which ſhall be engroſſed, written, or printed any ſuch original grant, or any ſuch deed, meſne conveyance, or other inſtrument whatſoever, by which any quantity of land above 100 and not exceeding 200 acres ſhall be granted, conveyed, or aſſigned within the ſame parts of the ſaid domains, a ſtamp duty of four ſhillings.

34. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written, or printed any ſuch original grant, or any ſuch deed, meſne conveyance, or other inſtrument whatſoever, by which any quantity of land above 200 and not exceeding 320 acres ſhall be granted, conveyed, or aſſigned, and in proportion for every ſuch grant, deed, meſne, conveyance, or other inſtrument, granting, conveying, or aſſigning every other 320 acres within the ſame parts of the ſaid dominions, a stamp duty of five ſhillings.

35. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written, or printed any grant, appointment, or admiſſion of or to any beneficial office or employment, not hereinbefore charged, above the value of twenty pounds per annum ſterling money, in ſalary, fees, and perquiſites, or any examplification of the ſame within the *Britiſh* colonies and plantations upon the continent of *America*, the iſlands belonging thereto, and the *Bermuda* and *Bahama* Iſlands (except commiſſions of the officers of the army, navy, ordnance, or militia, and of juſtices of the peace), a ſtamp duty of four pounds.

36. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written, or printed any ſuch grant, appointment, or admiſſion of or to any ſuch public beneficial offlce or employment, or any exemplification of the ſame within all other parts of the *Britiſh* dominions in *America*, a ſtamp duty of ſix pounds.

37. For every ſkin or piece of vellum or parchment or ſheet or piece of paper, on which ſhall be engroſſed, written, or printed any indenture, leaſe conveyance

veyance, contract, ſtipulation, bill of ſale, charter party, proteſt, articles of apprenticeſhip or covenant (except for the hire of ſervants not apprentices, and alſo except ſuch other matters as hereinbefore charged), within the *Britiſh* colonies and plantations in *America*, a ſtamp duty of two ſhillings and ſix pence.

38. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which any warrant or order for auditing any public accounts, beneficial warrant, order, grant, or certificate, under any public ſeal, or under the ſeal or ſign manual of any governor, proprietor, or public officer, alone or in conjunction with any perſon or perſons, or with any council, or any council and aſſembly, not hereinbefore charged, or any paſſport or letpaſs, ſurrender of office, or policy of aſſurance, which ſhall be engroſſed, written, or printed, within the ſaid colonies and plantations (except warrants or orders for the ſervice of the army, navy, ordnance, or militia, and grants of offices under twenty pounds per annum, in ſalary, fees, and perquiſites), a ſtamp duty of five ſhillings.

39. For every ſkin or piece of vellum or parchment or ſheet or piece of paper, on which ſhall be engroſſed, written, or printed any notarial act, bond, deed, letter of attorney, procuration, mortgage, releaſe, or other obligatory inſtrument, not hereinbefore charged, within the ſaid colonies and plantations, a ſtamp duty of two ſhillings.

40. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written or printed any regiſter, entry, or enrolment of any grant, deed, or other inſtrument whatſoever, hereinbefore charged, within the ſaid colonies and plantations, a ſtamp duty of three pence.

41. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be engroſſed, written, or printed grant regiſter, entry, or enrolment of any grant, deed, or other inſtrument whatſoever, not hereinbefore charged, within the ſaid colonies and plantations, a ſtamp duty of two ſhillings.

42. And for and upon every pack of playing cards, and all dice, which ſhall be ſold or uſed within the ſaid colonies and plantations, the ſeveral ſtamp duties following (that is to ſay):

43. For every pack of cards, one ſhilling.

44. For every pair of ſuch dice, ten ſhillings.

45. And for and upon every paper called a pamphlet, and upon every newſpaper containing public news or occurences, which ſhall be printed, diſperſed, and made public, within any of the ſaid colonies and plantations, and for and upon ſuch advertiſements as are hereinafter mentioned, the reſpective duties following (that is to ſay):

46. For every ſuch pamphlet and paper, contained in a half ſheet or any leſſer piece of paper, which ſhall be ſo printed, a ſtamp duty of one half-penny for every printed copy thereof.

47. For every ſuch pamphlet and paper (being larger than half a ſheet and not exceeding one whole ſheet) which ſhall be printed, a ſtamp duty of one penny for every printed copy thereof.

48. For every ſuch pamphlet and paper, being larger than one whole ſheet and not exceeding ſix ſheets in octavo, or in a leſſer page, or not exceeding twelve ſheets in quarto, or twenty ſheets in folio, which ſhall be ſo printed, a duty after the rate of one ſhilling for every ſheet of any kind of paper which ſhall be contained in one printed copy thereof.

49. For every advertiſement to be contained in any gazette, newſpaper, or other paper, or any pamphlet which ſhall be ſo printed, a duty of two ſhillings.

50. For every almanac, or calendar, for any one particular year, or for any time leſs than a year, which ſhall be written or printed on one ſide only of any one ſheet, ſkin, or piece of paper, parchment, or vellum, within the ſaid colonies and plantations, a ſtamp duty of two pence.

51. For every other almanac or calendar, for any one particular year, which

ſhall

ſhall be written or printed within the ſaid colonies and plantations, a ſtamp duty of four pence.

52. And for every almanac or calendar, written or printed in the ſaid colonies and plantations, to ſerve for ſeveral years, duties to the ſame amount reſpectively ſhall be paid for every ſuch year.

53. For every ſkin or piece of vellum or parchment, or ſheet or piece of paper on which any inſtrument, proceeding, or other matter or thing aforeſaid ſhall be engroſſed, written, or printed, within the ſaid colonies and plantations, in any other than the *Engliſh* language, a ſtamp duty double the amount of the reſpective duties before chaged thereon.

54. And there ſhall be alſo paid, in the ſaid colonies and plantations, duty of ſix pence for every twenty ſhillings, in any ſum not exceeding fifty pounds ſterling money, which ſhall be given, paid, contracted, or agreed for with or in relation to any clerk or apprentice, which ſhall be put or placed to or with any maſter or miſtreſs, to learn any profeſſion, trade, or employment. II. And alſo a duty of one ſhilling for every twenty ſhillings, in any ſum not exceeding fifty pounds, which ſhall be given, paid, contracted, or agreed for, with or in relation to, any ſuch clerk or apprentice.

55. Finally, the produce of all the aforementioned duties ſhall be paid into his Majeſty's treaſury, and there held in reſerve to be uſed from time to time by the Parliament for the purpoſe of defraying the expenſes neceſſary for the defence, protection, and ſecurity of the ſaid colonies and plantations.

As this Act was not to take effect until *November* 1.ſt 1765, the time intervening became memorable in the hiſtory of the Colonies. In *Virginia* the people were prepared to ſubmit, but were no leſs deſpondent upon reaching ſuch a deciſion. They decided to be extremely frugal and to uſe as few articles of luxury of *Engliſh* manufacture as was poſſible under the circumſtances. The Burgeſſes meeting on *May* 1ſt no attempt at reſiſtance was offered nor was a further proteſt even ſuggeſted. *Burk* deſcribed the condition of the Colonies when he enquired of the miniſtry "what one characteriſtic of liberty the *Americans* have, and what one brand of ſlavery are they free from, if they are bound in their property and induſtry by all reſtraints you can imagine on commerce, and at the ſame time are made pack horſes for every tax you impoſe, without the leaſt ſhare in granting them.[1]" Such was the feeling of *Virginia*, yet the Aſſembly, from whom the people expected ſo much, had apparently determined to acquieſce without further remonſtrance againſt the Act. This condition of inactivity, however, proved to be of ſhort duration, and ended abruptly in the famous reſolutions againſt the Stamp Act introduced by *Patrick Henry* on *May* 29th 1765:

RESOLUTIONS AGAINST THE STAMP ACT:

Reſolved, That the firſt adventurers and ſettlers of this his Majeſty's colony and dominion brought with them, and tranſmitted to their poſterity, and all other his Majeſty's ſubjects ſince inhabiting in this his Majeſty's ſaid colony, all the privileges, franchiſes, and immunities that have at any time been held, enjoyed, and poſſeſſed by the people of *Great Britain*.

Reſolved, That by two royal charters, granted by King *James* the Firſt the coloniſts aforeſaid are declared entitled to all the privileges, liberties, and immunities of denizens and natural-born ſubjects, to all intents and purpoſes as if they had been abiding and born within the realm of *England*.

Reſolved, That the taxation of the people by themſelves, or by perſons choſen by themſelves to repreſent them, who con only know what taxes the people are able to bear, and the eaſieſt mode of raiſing them, and are equally affected by ſuch taxes themſelves, is the diſtinguiſhing characteriſtick of *Britiſh* freedom, and without which the ancient Conſtitution cannot ſubſiſt.

Reſolved

[1] Speech on American Taxation

Reſolved, That his Majeſty's leige people of this moſt ancient colony have uninterruptedly enjoyed the right of being thus governed by their own Aſſembly in the article of their taxes and internal police, and that the ſame hath never been forfeited or in any other way given up, but hath been conſtantly recognized by the kings and people of *Great Britain*.

Reſolved, therefore, That the General Aſſembly of this colony have the only and ſole excluſive right and power to lay taxes and impoſitions upon the inhabitants of this colony, and that every attempt to veſt ſuch power in any perſon or perſons whatſoever, other then the General Aſſembly aforeſaid, has a manifeſt tendency to deſtroy *Britiſh* as well as *American* freedom.[1]

The famous tranſcript of theſe Reſolutions, (frontiſpiece) while not in the handwriting of Mr *Henry*, is endorſed on the back of the paper by him as follows:

"The within reſolutions paſſed the Houſe of Burgeſſes in May, 1765. They formed the firſt oppoſition to the Stamp Act and the ſcheme of taxing *America* by the *Britiſh* Parliament. All the colonies, either through fear, or want of opportunity to form an oppoſition, or from influence of ſome kind or other, had remained ſilent. I had been for the firſt time elected a Burgeſs a few days before, was young, inexperienced, unacquainted with the forms of the Houſe, and the members that compoſed it. Finding the men of weight averſe to oppoſition, and the commencement of the tax at hand and that no perſon was likely to ſtep forth, I determined to venture, and alone, unadviſed, and unaſſiſted, on a blank leaf of an old law-book wrote the within. Upon offering them to the Houſe violent debates enſued. Many threats were uttered, and much abuſe caſt on me by the party for ſubmiſſion. After a long and warm conteſt the reſolutions paſſed by a very ſmall majority, perhaps of one or two only. The alarm ſpread throughout *America* with aſtoniſhing quickneſs, and the Miniſterial party were overwhelmed. The great point of reſiſtance to *Britiſh* taxation was univerſally eſtabliſhed in the colonies. This brought on the war which finally ſeparated the two countries and gave inedpendence to ours. Whether this will prove a bleſſing or a curſe, will depend upon the uſe our peopeople make of the bleſſings which a gracious God hath beſtowed on us. If they are wiſe, they will be great and happy. If they are of a contrary character, they will be miſerable. Righteouſneſs alone can exalt them as a nation. Reader! whoever thou art, remember this; and in thy ſphere practice virtue thyſelf, and encourage it in others.

P. HENRY.

Thomas Jefferſon, in ſpeaking of the circumſtances ſurrounding the paſſage of the reſolutions againſt the Stamp Act, gives an intereſting account of the action:

"Mr *Henry* moved and Mr *Johnſton* ſeconded theſe reſolutions ſucceſſively. They were oppoſed by Meſſrs. Randolph, Bland, Pendleton, Wythe, and all the old members, whoſe influence in the Houſe had, till then, been unbroken. They did it, not from any queſtion of our rights, but on the ground that the ſame ſentiments had been, at their preceding ſeſſion, expreſſed in a more conciliatory form, to which the anſwers were not yet received. But torrents of ſublime eloquence from *Henry*, backed by the ſolid reaſoning of *Johnſton*, prevailed. The laſt, however, and ſtrongeſt reſolution was carried but by a ſingle vote. The debate on it was moſt bloody. I was then but a ſtudent, and ſtood at the door of communication between the Houſe and the lobby (for as yet there was no gallery) during the whole debate and vote; and I will remember that, after the members on the diviſion were told and declared from the chair, *Peyton Randolph* (the Attorney-General) came out at the door where I was ſtanding, and ſaid

[1] Henry--Life of Henry, Vol. I, p. 80.

ſaid, as he entered the lobby: 'By God, I would have given 500 guineas for a ſingle vote'; for one would have divided the Houſe, and *Robinſon*, was in the chair, who he knew would have negatived the reſolution. Mr *Henry* left town that evening, and the next morning, before the meeting of the Houſe, Colonel *Peter Randolph*, then of the Council, came to the Hall of Burgeſſes, and ſat at the clerk's table till the Houſe-bell rang, thumbing over the volumes of journals, to find a precedent for expunging a vote of the Houſe, which, he ſaid, had taken place while he was a member or clerk of the Houſe, I do not recollect which. I ſtood by him at the end of the table a conſiderable part of the time, looking on, as he turned over the leaves, but I do not recollect whether he found the eraſure. In the meantime, ſome of the timid members, who had voted for the ſtrongeſt reſolution, had become alarmed; and as ſoon as the Houſe met, a motion was made and carried to expunge it from the journal. There being at that day but one printer, and he entirely under the control of the Governor, I do not know that the reſolution ever appeared in print. I write this from memory, but the impreſſion made on me at the time was ſuch as to fix the facts indelibly in my mind. I ſuppoſe the original journal was among thoſe deſtroyed by the *Britiſh*, or its obliterated face might be appealed to. And here I will state, that *Burk's* ſtatement of Mr *Henry's* conſenting to withdraw two reſolutions, by way of compromiſe with his opponents, is entirely erroneous."

Paul Carrington, a member of the Houſe of Burgeſſes from *Charlotte* County, ſuſtains Mr *Jefferſon's* recollections of this event, and declares that the fifth reſolution was eraſed from record. The recollections of theſe gentlemen on this ſubject is ſupported by the Journal of the Burgeſſes under date of May 29th 1765. It was in connection with the paſſage of this fifth reſolution that Mr *Henry* gave utterance to his famous declaration: "*Tarquin* and *Cæſar* had each his *Brutus*, *Charles* the Firſt his *Cromwell*, and *George* the Third ....." "Treaſon!" ſhouted the Speaker. "Treaſon! Treaſon!" echoed from every part of the Houſe. Without faltering for an inſtant, but riſing to a loftier attitude and fixing on the Speaker an eye which ſeemed to flaſh fire, Mr *Henry* added, with the moſt thrilling emphaſis....."may profit by their example! If *this* be treaſon, make the moſt of it.[1]"

It was the original intention of *Patrick Henry* to have all ſeven of his reſolves paſſed by the Burgeſſes, but, when this was found to be impoſſible, it was determined that they ſhould be printed for the benefit of the Colonies. They therefore appeared in the "Newport Mercury" under date of *June* 24th and were later copied in the *Boſton* papers of *July* 1ſt. Full text is herewith given:

Whereas, The Honorable Houſe of Commons, in *England*, have of late draw into queſtion how far the General Aſſembly of this colony hath power to enact laws for laying of taxes and impoſing duties payable by the people of this, his Majeſty's moſt ancient colony; for ſettling and aſcertaining the ſame to all future times, the Houſe of Burgeſſes of this preſent General Aſſembly have come to the following reſolves.

Reſolved, That the firſt adventurers, ſettlers of this his Majeſty's colony and dominion of *Virginia*, brought with them and tranſmitted to their poſterity, and all other his Majeſty's ſubjects, ſince inhabiting in this his Majeſty's colony, all the privileges and immunities that have at any time been held, enjoyed, and poſſeſſed by the people of *Great Britain*.

Reſolved, That by two royal charters, granted by King *James* the Firſt, he colony aforeſaid are declared and entitled to all privileges and immunities of natural born ſubjects, to all intents and purpoſes as if they had been abiding, and born within the realm of *England*.

Reſolved, That his Majeſty's liege people of this ancient colony have enjoyed the right of being thus governed by their own Aſſembly in the article of taxes

[1] Henry—Life of Henry, Vol. 1. p. 86.

taxes and internal police, and that the ſame have never been forfeited, or any other way yielded up, but have been conſtantly recognized by the King and people of *Great Britain*.

Reſolved, Therefore, that the General Aſſembly of this colony, together with his Majeſty or his ſubſtitutes, have, in their repreſentatives capacity, the only excluſive right and power to lay taxes and impoſts upon the inhabitants of this colony; and that every attempt to veſt ſuch power in any other perſon or perſons whatever than the General Aſſembly aforeſaid, is illegal, unconſtitutional, and unjuſt, and has a manifeſt tendency to deſtroy *Britiſh* as well as *American* liberty.

Reſolved, That his Majeſty's liege people, the inhabitants of this colony, are not bound to yield obedience to any law or ordinance whatever, deſigned to impoſe any taxation whatſoever upon them, other than the laws or ordinances of the General Aſſembly aforeſaid.

Reſolved, That any perſon who ſhall, by ſpeaking or writing, aſſert or maintain that any perſon or perſons, other than the General Aſſembly of this colony, have any right or power to impoſe or lay any taxation on the people here, ſhall be deemed an enemy to his Majeſty's colony.

The publication of theſe reſolves cauſed an intenſe excitement. Coming from *Virginia* the oldeſt of the Colonies, they were looked upon as raiſing a ſtandard of reſiſtance to the Act in queſtion. The government party pronounced them as treaſonable, but this only ſerved to bring them more prominently to the conſideration of the people. *Henry* was hailed as a leader, and ſecret ſocieties pledged to reſiſt the Act by all lawful means, were formed. They were known as "The Sons of Liberty," and the firſt ſociety ſeems to have originated in *Boſton*, early in July, 1765. That thoſe who were oppoſed to the new Act repreſented the people, was atteſted by the fact that, for the moſt part, they were of the laboring claſſes. Theſe ſocieties determined to correſpond with the various Colonies with the idea of uniting them and preſenting a determined oppoſition to the Act. It was likewiſe decided to encourage home manufactures and to diſcontinue importations, and, in fact, put every obſtacle poſſible in the way of the enforcement of the law. Governor *Fauquier* in his letter to the Board of Trade, under date of June 5th 1765, ſtates that he encloſes four reſolutions as adopted by the Aſſembly, but refrains from giving the text of the fifth, which was accepted, but later ordered expunged from the record. In the ſame communication he alſo ſtated that there were only thirty-nine members of the Houſe of Burgeſſes preſent and that the vote on the fifth reſolution ſtood 20 to 19:

Williamſburg June[1] *5th 1765.*

My Lords,

On Saturday *the 1ſt inſtant I diſſolved the Aſſembly after paſſing all the Bills, except one, which were ready for my aſſent. The four Reſolutions which I have now the honor to incloſe to your Lordſhips, will ſhew Your Lordſhips the reaſon of my conduct, and I hope juſtify it. I will relate the whole proceeding to Your Lordſhips in as conciſe a manner as I am able.*

On Wedneſday *the 29th of* May, *juſt at the end of the Seſſion when moſt of the members had left the town, there being but 39 preſent out of 116 of which the Houſe of Burgeſſes now conſiſts, a motion was made to take into conſideration the Stamp Act, a copy of which had crept into the Houſe, and in a Committee of the whole Houſe five reſolutions were propoſed and agreed to, all by very ſmall majorities. On* Thurſday *the 30th they were reported & agreed to by the Houſe, the numbers being as before in the Committee; the greateſt majority being 22 to 17; for the 5th Reſolution, 20 to 19 only. On* Friday *the 31ſt there having happened a ſmall alteration in the Houſe there was an attempt to ſtrike all the Reſolutions off the Journals. The 5th which was thought the moſt offenſive was accordingly ſtruck off, but it did not ſucceed as to the other four. I am informed the gentlemen had two more reſolutions in their pocket, but finding the difficulty they had in carrying the 5th which was*

[1] Bancroft Tranſcripts—Library of Congreſs.

was by a ſingle voice, and knowing them to be more virulent and inflammatory; they did not produce them. The moſt ſtrenuous oppoſers of this raſh heat were the late Speaker, the King's Attorney and Mr Wythe; *but they were overpowered by the young hot and giddy members. In the courſe of the debates I have heard that very indecent language was uſed by a M^r* Henry *a young lawyer who had not been a month a Member of the Houſe; who carryed all the young Members with him; ſo that I hope I am authoriſed in ſaying there is cauſe at leaſt to doubt whether this would have been the ſenſe of the Colony if more of their Repreſentatives had done their duty by attending to the end of the Seſſion.*

The Bill I refuſed was the Cattle Bill, a copy of which I ſent to your right Honble Board on the adjournment in Dec.^r *to know whether His Majeſty would give me leave to paſs it; which was now preſented to me in form with the other Bills.*

In this Seſſion an Act was paſſed to eſtabliſh a regular trade with the Cherokee Indians, *a meaſure more likely to keep them in good humor than atl the ſteps we had taken, of which your Lordſhips have a full acc.^t in my other letter by this conveyance. I have yet had no freſh news from* Auguſta *relating to the perpetrators of that horrid villany.*

If Mr Robinſon *ſhould be again choſen Speaker in the next Aſſembly I hope your Lordſhips will agree with me, that it will be good policy as well as ſtrict Juſtice to a gentleman who has always aſſiſted me in carrying on the King's ſervice to paſs the Act to appoint him Treaſurer, as I am confident the Burgeſſes will always appoint their own Speaker to that office. And as there is, with me, a great doubt whether the elections in the New Aſſembly to be called will fall on cool reaſonable men, and conſequently a doubt whether M^r* Robinſon *will be re-choſen Speaker. I ſhould be glad to know your Lordſhips ſentiments whether I ſhould agree to the appointment of any gentleman to be Treaſurer who ſhall be choſen Speaker, whether I ſhould refuſe all indiſcriminately or ſhew this favor to M^r* Robinſon *particularly, who has deſerved ſo well.*

I am with the greateſt regard
My Lords
Your Lordſhips moſt obed.^t
and devoted Servt
FRAN. FAUQUIER

The Act being ſcheduled to take effect November 1^ſt, 1765, everybody awaited the arrival of the Stamps for the uſe of the colony, and rumors were everywhere circulated to the effect that they would be ſeized and deſtroyed. That ſuch rumors were well founded, is ſhown by the letter of Governor *Fauquier* to the Board of Trade, under date of *December* 3rd 1765. In this communication the Governor calls attention to the arrival of Colonel *Mercer*, cuſtodian of the stamps, and gives a very thorough and intereſting account of what tranſpired at that time:

W^mſburgh[1] Novr 3^d 1765.

My Lords,

The preſent unhappy ſtate of this Colony, will, to my great concern, oblige me to trouble Your Lordſhips with a long and very diſagreeable letter. We were for ſome time in almoſt daily expectations of the arrival of Colonel Mercer *with the Stamps for the uſe of this Colony, and rumours were induſtriouſly thrown out that at the time of the General Court parties would come down from moſt parts of the country to ſeize on and deſtroy all Stamped Papers. At thoſe Courts perſons engaged in buſineſs of any kind conſtantly attend as well as thoſe who have ſuits depending before the Court; it being the time when all accompts of tranſactions of moment are ſettled, payments made and bills of exchange on* Great Britain *are drawn; ſo that there is always a vaſt concourſe of people then in town. Theſe rumours were little regarded or credited.*

The firſt diſagreeable thing that happened was the application to me, in Council

[1] Bancroft Tranſcripts—Library of Congreſs.

cil, from two Counties, by Memorials or Petitions that I would order new Commiſſions to be made out for their reſpective Counties, as the preſent Juſtices were determined not to act after the day the Act directing Stamp'd Papers to be uſed in the proceſſes of their Courts, took place. Theſe were ordered to lie on the Table. In order for your Lordſhips to judge of the propriety of that conduct in the Council, it will be neceſſary to obſerve to you, that in few Counties there are gentlemen enough properly educated and qualified, to execute that truſt. Therefore if any notice had been taken of theſe papers, the preſent ſet of Juſtices muſt have been removed; the conſequence of which would have been either that the Courts muſt have been filled with a meaner ſort of people or there could have been no Courts at all; the laſt of which was to be expected, for if the firſt gentlemen of the Counties refuſed to act, it would have become a faſhion for the others to follow their examples; indeed they would hardly have dared to have done otherwiſe. And if theſe gentlemen had been removed, without a proper ſubmiſſion they could never have been reinſtated: which ſubmiſſion was not to be expected, and a general reſolution was taken not to iſſue any new commiſſions of the Peace till affairs were better ſettled and peace ſhould take place of diſorder and confuſion; as we had the greateſt reaſon to believe that many gentlemen who are qualified under the Commiſſions now ſubſiſting, would take the advantage of new Commiſſions not to qualify. In which caſe the Benches would not be filled and the inferior courts of Juſtice ſtop'd. To remedy theſe evils and to prevent this dreadful calamity from falling on the country as much as lay in our power, we took the meaſures above related.

Very unluckily, Colonel Mercer *arrived at the time this town was the fulleſt of Strangers. On* Wedneſday *the 30th* October *he came up to town. I then thought proper to go to the Coffee houſe (where I occaſionally ſometimes go) which is ſituated in that part of the town which is call'd the* Exchange, *tho' an open ſtreet where all money buſineſs is tranſacted. My particular reaſon for going then was that I might be an eye witneſs of what did really paſs, and not receive it by relation from others. The mercantile people were all aſſembled as uſual. The firſt word I heard was "One and all" upon which, as at a word agreed on before between themſelves, they all quitted the place to find Colonel* Mercer *at his father's lodgings where it was known he was. This concourſe of people I ſhould call a mob, did I not know that it was chiefly if not altogether compoſed of gentlemen of property in the Colony, ſome of them at the head of their reſpective Counties, and the merchants of the country whether* Engliſh, Scotch *or* Virginian, *for few abſented themſelves. They met Colonel* Mercer *on the way, juſt at the Capitol: there they ſtop'd and demanded of him an anſwer whether he would reſign or act in this office as Diſtributor of the Stamps. He ſaid it was an affair of great moment to him, he muſt conſult his friends, and promiſed to give them an anſwer at 10 o'clock on* Friday *morning at that place. This did not ſatiſfy them, and they followed him to the Coffee houſe, in the porch of which I had ſeated myſelf with many of the Council and the Speaker, who had poſted himſelf between the crowd and myſelf. We all received him with the greateſt marks of welcome; with which, if one may be allowed to judge by their countenances, they were not well pleaſed, tho' they remained quiet and were ſilent. Now and then a voice was heard from the rcowd, that* Friday *was too late; the Act would take place, they would have an anſwer tomorrow. Several meſſages were brought to M^r* Mercer *by the leading men of the crowd, to whom he conſtantly anſwered he had already given an anſwer and he would have no other extorted from him. After ſome little time a cry was heard, "let us ruſh in." Upon this we that were at the top of the ſteps, knowing the advantage our ſituation gave us to repell thoſe who ſhould attempt to mount them, advanced to the edge of the Steps, of which number I was one. I immediately heard a cry, "See the Governor, take care of him." Thoſe who before were puſhing up the ſteps, immediately fell back, and left a ſmall ſpace between me and them. If your Lordſhips will not accuſe me of vanity I would ſay that I believe this to be partly owing to the reſpect they bore to my*

character

character and partly to the love they bore to my perſon. After much entreaty of ſome of his friends, Mr Mercer *was, againſt his own inclination, prevailed upon to promiſe them an anſwer at the Capitol the next evening at five. The crowd did not yet diſperſe; it was growing dark, and I did not think it ſafe to have M^r* Mercer *behind me, ſo I again advanced to the edge of the ſteps and ſaid aloud I believed no man there would do me any hurt, and turned to M^r* Mercer *& told him if he would walk with me through the people I believed I could conduct him ſafe to my houſe; and we accordingly walked ſide by ſide through the thickeſt of the people, who did not moleſt us, tho' there was ſome little murmurs. By me thus taking him under my protection, I believe I ſaved him from being inſulted at leaſt. When we got home we had much diſcourſe on the ſubject. He aſked me what he ſhould do; in return I aſked him whether he was afraid for his life, if he was, it was too tender a point for me to adviſe him; if not, his honor and intereſt both demanded he ſhould hold the Office; and if that ſhould be his reſolution he muſt not regard the reaſonings of his father and brother, two lawyers attending the Court who were both frightened out of their ſenſes for him. He left me that night in a ſtate of uncertainty what part he ſhould act.*

Accordingly Mr Mercer *appeared at the Capitol at 5, as he had promiſed. The number of people aſſembled there was much increaſed, by meſſengers having been ſent into the neighborhood for that purpoſe. Colonel* Mercer *then read to them the anſwer which is printed in the Supplement of the Gazette, of which I encloſe your Lordſhips a copy, to which I beg leave to refer.*

On Friday *the firſt Inſtant the Judges of the General Court met according to their adjournment as uſual. Proclamation was made and the lawyers not appearing at the Bar to do any buſineſs, except the King's Attorney who was at his place at the table within the Bar; I waited ſome time and then ordered proclamation to be made again, once in the Cryer's place, and once at the door; and upon no ſuitors appearing I called for Colonel* Mercer *& aſked him in open Court whether he could ſupply the Court with proper Stamps that the buſineſs might be carried on, according to law. He replied he could not, and gave the ſubſtance of the anſwer he had given the evening before. I then aſked the Clerk whether he could carry on the buſineſs without them. He ſaid he could not, without ſubjecting himſelf to ſuch penalties as he would not expoſe himſelf to. I then took the opinions of my brother Judges on the Bench, Seriatim, whether we might not legally adjourn to the 10th of* April *next, as there was no buſineſs before us. I was aſked by one of the gentlemen whether I had received any particular inſtructions or directions how to act on this occaſion. I replyed I had not. Then the Court were unanimous that we might adjourn to the next Court in courſe, which was accordingly done.*

Before the adjournment Colonel Mercer *offered to reſign his commiſſion to me. I did not expect this; but thinking myſelf obliged to give ſome anſwer, I ſaid I did not think myſelf authorized to accept it, and that I thought all commiſſions and appointments ought to be reſigned into the hands of thoſe from whom they were received. That I thought I ought to accept reſignations of all appointments made by myſelf, but not of thoſe of His Majeſty or his miniſters at home. I was taken by ſurprize, and the reaſons that then occurred to me beſides that which I thought proper to give in public (for the Court was filled with people) were, that if I accepted the reſignation, I muſt appoint another, and I was well convinced I could not find one to accept of it, in thoſe circumſtances, which would render the office cheap. Beſides if I left M^r* Mercer *in poſſeſſion of the place he would be always ready to diſtribute the Stamp'd papers, whenever peoples eyes ſhould be open'd and they ſhould come to their ſenſes, ſo as to receive them.*

The firſt and moſt obvious conſequences of all this muſt be, the ſhutting up all the parts, and ſtopping all proceedings in the Courts of Juſtice. A moſt melancholy proſpect at firſt view; for what ideas can be well formed of a more miſerable condition than a ſtate of general outlawry. What other conſequences may follow from

from theſe, are ſo buried in obſcurity that it requires a ſagacity and judgment much ſuperior to my own, even to gueſs at them, with any the leaſt degree of certainty. But it ſeems to me that diſorder, confuſion and miſery are before us, unleſs this poor unhappy deluded people in the Colonies in general, ſhould change their plan.

I had an opportunity of ſpeaking my ſentiments on this point to many of the merchants who came to me for regiſters for their ſhipping. I repreſented the abſurdity of their conduct who were concerned in ſhipping and had large debts owing to them, which they could not now recover; but the flame had ſpread ſo univerſally through the Colonies, and every man was ſo heated thereby, that no reaſons could find admittance.

On the Saturday *evening the Naval Officers came to me for my advice how they were to act; being before apprized of this, I had an anſwer ready prepared in my pocket, which I have them in writing in theſe words:—"Gentlemen; I have been ſworn in Council to uſe my beſt endeavors to put in execution an Act paſſed in this laſt Seſſion of Parliament of* Great Britain, *directing what Stamps are to be uſed in your offices in carrying on the buſineſs thereof, from the 1ſt Inſtant; that Act therefore is to be your guide, and I have no advice to give you but that you act in conformity thereto. Every deviation from it muſt be at your peril."*

FRAN: FAUQUIER.

Colonel Mercer *has informed me that he propoſes to apply to the Commanders of His Majeſty's ſhips of War, to take the Stamp'd Papers on board their ſhips for His Majeſty's ſervice; it being the place of the greateſt if not the only ſecurity for them: for I am convinced, as well as himſelf, that it would be extremely dangerous to attempt to land them during the preſent fermented ſtate of the Colony. If theſe Gentlemen ſhould refuſe ſhould to take charge of them, and Mr* Mercer *ſhould apply to me, I will do my duty to His Majeſty and ſave them from being deſtroyed, to the beſt of my power, tho' I can by no means anſwer for the ſucceſs of my endeavors.*

Thus my Lords I have in a candid and undiſguiſed manner ſet the naked truth before you, and ſubmit my conduct through this whole affair to your Lordſhips judgment. I muſt confeſs that I have never in the courſe of my life been in a ſituation which required ſo much circumſpection. I have often been at a loſs to form a judgment for myſelf how to proceed, and have often been diſſatiſfyed with my determinations, and ſhould have been glad of your Lordſhips ſuperior abilities to aſſiſt me in my conduct. If I ſhall be ſo fortunate as to have gone through this very difficult affair with a tolerable share of prudence, I ſhall think myſelf happy indeed. But if my conduct ſhould meet with the diſapprobation of my royal Maſter or his Miniſters, I muſt rely on your Lordſhips candor, and beg leve to repreſent to you that I was left to myſelf without any inſtructions or directions from your right honourable Board, to guide me through this wilderneſs. Your Lordſhips will I hope forgive me in saying that I even had not the common notice of there being ſuch an Act, as it has never been ſent to me: but my zeal to promote His Majeſty's ſervice never let me take this into conſideration.

I am with the greateſt reſpect & eſteem, my Lords
Your Lordſhips moſt obed.t
and devoted Serv.t

FRAN. FAUQUIER.

The reſult of this act upon the part of the people of the Colony cauſed Captain *Sterling*, of his Majeſty's ſhip "Rainbow," to take the entire collection of Stamps brought into the colony by Colonel *Mercer* on board his veſſel. Governor *Fauquier* calls attention to this act in his letter to the Board of Trade under date of November 8th 1765:

My

Wᵐˢburgh[1] Nov.ʳ 8ᵗʰ 1765.

My Lords,

I think it my duty to inform Your Lordſhips that ſince my long letter of the 3ᵈ inſtant Captain Stirling *has with great readineſs taken all the Stamp'd Papers brought in by Colonel* Mercer *on board the* Rainbow *for their ſecurity, till the madneſs of the people ſhall abate. And it is with ſome degree of pleaſure I can inform Your Lordſhips that I am not altogether without hopes that the diſtreſs the country will feel on a total ſtagnation of buſineſs, will open their eyes and pave the way for the Act's executing itſelf. For I am very credibly informed that ſome of the moſt buſy men in oppoſing the reception of the Stamps are already alarmed at the conſequences of the imprudent ſteps they have taken. God grant my information may prove true.*

I am with the greateſt eſteem and regard
My Lords
Your Lordſhips moſt obed.ᵗ
and devoted Servant

FRAN. FAUQUIER.

This ſpirit of reſiſtance as ſhown by the people of *Virginia* was cloſely followed by the other Colonies, and delegates were elected to meet and diſcuſs what courſe ſhould be purſued to defeat the purpoſe of stamp legiſlation. This body claimed that the Act extending the juriſdiction of the Courts of Admiralty was unjuſt, as was the abolition of trial by jury. They declared the Act to "have a manifeſt tendency to ſubvert the rights and liberties of the coloniſts." This poſition was maintained in an addreſs to the King and Parliament, and the views of the colonies were ſo ſtrongly expreſſed that it was difficult to ſecure the ſignature of the delegates to the addreſs in queſtion. This oppoſition to the Stamp Act, however, gave riſe to little hope of effecting an annulment. The Colonies were convinced, that, owing to the unfriendly attitude of the Duke of *Cumberland*, who was Prime Miniſter at that time, nothing favorable to *America's* cauſe could be expected. Their rights were not to be overridden, however, without preſenting the ſtrongeſt poſſible oppoſition. The Magiſtrates throughout the Colony determined that they would not enforce the Stamp Act, and declined to further ſerve as officers of the Colony. This movement was probably ſtarted in *Weſtmoreland* county, and, from the determined ſpirit expreſſed by the Magiſtrates in that county, it was at once apparent that the ſucceſſful operation of the Stamp Act in Virginia was anything but aſſured.

That ſuch an aſſociation[3] was formed is noted in the following reſolutions[2] paſſed at *Leedſtown*, on the 27ᵗʰ day of *February* 1766:

"Rouſed by danger, and alarmed at attempts, foreign and domeſtic, to reduce the people of this country to a ſtate of abject and deteſtable ſlavery, by deſtroying that free and happy conſtitution of government, under which they have hitherto lived. We, who ſubſcribe this paper, have aſſociated, and do bind ourſelves to each other, to God, and to our country, by the firmeſt ties that religion and virtue can frame, moſt ſacredly and punctually to ſtand by, and with our lives and fortunes, to ſupport, maintain, and defend each other in the obſervance and execution of theſe following articles.

Firſt. We declare all due allegiance and obedience to our lawful Sovereign, *George* the third King of *Great Britain*. And we determine to the utmoſt of our power to preſerve the laws, the peace and good order of this Colony, as far as is conſiſtent with the preſervation of our Conſtitutional rights and liberty.

Secondly. As we know it to be the Birthright privilege of every *Britiſh* Subject, (and of the people of *Virginia* as being ſuch) founded on Reaſon, Law, and Compact; that he cannot be legally tried, but by his peers; and that he cannot be

[1] Bancroft Tranſcripts—Library of Congreſs.
[2] Southern Literary Meſſenger, Vol. 8. p. 258.
[3] *Ibid*, Vol. 8. p. 257.

be taxed, but by conſent of a Parliament, in which he is repreſented by perſons choſen by the people, and who themſelves pay a part of the tax they impoſe on others. If therefore, any perſon or perſons ſhall attempt, by any action or proceeding, to deprive this Colony of thoſe fundamental rights, we will immediately regard him or them, as the moſt dangerous enemy of the community; and we will go to any extremity, not only to prevent the ſucceſs of ſuch attempts, but to ſtigmatize and puniſh the offender.

Thirdly. As the Stamp Act does not abſolutely direct the property of the people to be taken from them without their conſent expreſſed by their repreſentatives, and as in many caſes it deprives the *Britiſh American* Subject of his right to trial by jury; we do determine, at every hazard, and, paying no regard to danger or to death, we will exert every faculty, to prevent the execution of the ſaid Stamp Act in any inſtance whatſoever within this Colony. And every abandoned wretch, who ſhall be ſo loſt to virtue and public good, as wickedly to contribute to the introduction or fixture of the Stamp Act in this Colony, by uſing stampt paper, or by any other means, we will, with the utmoſt expedition, convince all ſuch profligates that immediate danger and diſgrace ſhall attend their proſtitute purpoſe.

Fourthly. That the laſt article may moſt ſurely and effectually be executed, we engage to each other, that whenever it ſhall be known to any this aſſociation, that any perſon is ſo conducting himſelf as to favor the introduction of the Stamp Act, that immediate notice ſhall be given to as many of the aſſociation as poſſible; and that every individual ſo informed, ſhall, with expedition, repair to a place of meeting to be appointed as near the ſcene of action as may be.

Fifthly. Each aſſociator ſhall do his true endeavor to obtain as many ſigners to this aſſociation, as he poſſibly can.

Sixthly. If any attempt ſhall be made on the liberty or property of any aſſociator for any action or thing to be done in conſequence of this agreement, we do moſt ſolemnly bind ourſelves by the ſarced engagements above entered into, at the utmoſt riſk of our lives and fortunes, to reſtore ſuch aſſociate to his liberty, and to protect him in the enjoyment of his property.

In teſtimony of the good faith with which we reſolve to execute this aſſociation we have this 27th day of *February* 1766, in *Virginia*, put our hands and ſeals hereto."

Richard Henry Lee
Will. Robinſon
Lewis Willis
Thos. Lud. Lee
Samuel Waſhington
Charles Waſhington
Moore Fauntleroy
Francis Lightfoot Lee
Thomas Jones
Rodham Kenner
Spencer M. Ball
Richard Mitchell
Joſeph Murdock
Richd. Parker
Spence Monroe
John Watts
Robt. Lovell
John Blagge
Charles Weeks
Willm. Booth
William Sydnor
John Monroe
William Cocke
Willm. Grayſon
Wm. Brockenbrough
Saml. Selden
Richd. Lee
Daniel Tibbs
Francis Thornton, junr.
Peter Ruſt
John Lee, jr.
Francis Waring
John Upſhaw
Meriwether Smith
Thos. Roane
Jas. Edmondſon
Jas. Webb, junr.
John Edmondſon
Jas. Banks
Smith Young

Geo.

Geo. Turberville
Alvin Moxley
Wm. Flood
John Ballantine, junr.
William Lee
Thos. Chilton
Richard Buckner
Jos. Pierce
Will. Chilton
John Williams
John Blackwell
Winder S. Kenner
Wm. Bronaugh
Wm. Pierce
John Berryman
John Dickſon
John Broone
Edwd. Sanford
Charles Chilton
Edward Sanford
Daniel McCarty
Jer. Suſh
Edwd. Ranſdell
Townſhend Dade
John Aſhton
W. Brent
Francis Fouſhee
John Smith, junr.
Wm. Ball
Thos. Barnes
Jos. Blackwell
Reuben Meriwether
Edw. Mountjoy
Wm. J. Mountjoy
Thos. Mountjoy
John Mountjoy
Gilbt. Campbell
Jos. Lane
Laur. Waſhington
W. Roane
Rich. Hodges
Jas. Upſhaw
Jas. Booker
A. Montague
Richd. Jeffries
John Suggett
John S. Woodcock
Robt. Wormeley Carter
John Beale, junr.
John Newton
Will. Beale junr.
Chs. Mortimer
John Edmondſon, jr.
Charles Beale
Peter Grant
Thompſon Maſon
Jona. Beckwith
Jas. Sanford
John Belfield
W. Smith
John Augt. Waſhington
Thos. Belfield
Edgcomb Suggett
Henry Francks
John Bland, junr.
Jas. Emerſon
Thos. Logan
Jo. Milliken
Ebenezer Fiſher
Hancock Euſtace
John Richards
Thos. Jett
Thos. Douglas
Max. Robinſon
John Orr

Such was the condition of affairs in *Virginia* as the reſult of the paſſage of the Stamp Act, the cry being that "taxation and repreſentation were co-equal with, and eſſential to, the Conſtitution." This was the poſition taken by Lord *Camden*, who repreſented the colonies in a moſt prominent way on the floor of Parliament. This Stateſman maintained that taxation and repreſentation were inſeparable, and largely through his efforts was the Act repealed. Aſſociated with him in the cauſe of the Colonies was *Pitt*, who gloried in the reſiſtance of *America*. He maintained that "three millions of people ſo dead to all feeling of liberty as voluntarily to ſubmit to be ſlaves, would have been fit inſtruments to make ſlaves of the reſt. Such arguments were irreſiſtable, and, largely due to the influence of *Pitt* and *Camden*, Parliament put an end to taxation of the Colonies. *George* the Third affixed his ſignature to the Act repealing this obnoxious law on March 18th 1766, and no Act of *Great Britain* during the hiſtory of the Colonies proved ſo acceptable to *Americans* in general:

An

ACT REPEALING THE STAMP ACT.

An Act[1] *to repeal an Act made in the laſt Seſſion of Parliament, intituled, An Act for granting and applying certain Stamp Duties, and other Duties, in the* Britiſh *Colonies and Plantations in* America, *towards further defraying the Expenſes of defending, protecting and ſecuring the ſame; and for amending ſuch Parts of the ſeveral Acts of Parliament relating to the Trade and Revenue of the ſaid Colonies and Plantations, as direct the Manner of determining and recovering the Penalties and Forfeitures therein mentioned.*

Whereas an Act was paſſed in the laſt Seſſion of Parliament, intituled, *An Act for granting and applying certain Stamp Duties, and other Duties, in the Colonies* Britiſh *Colonies and Plantations in* America, *towards further defraying the Expenſes of defending, protecting and ſecuring the ſame; and for amending ſuch Parts of the ſeveral Acts of Parliment relating to the Trade and Revenues of the ſaid Colonies and Plantations, as direct the Manner of determining and recovering the Penalties and Forfeitures therein mentioned:* And *whereas* the Continuance of the ſaid Act would be attended with many Inconveniences, may be productive of Conſequences greatly detrimental to the Commercial Intereſts of theſe Kingdom's; May it therefore pleaſe Your Moſt Excellent Majeſty, that it may be enacted; and be it enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the firſt Day of *May* one thouſand ſeven hundred and ſixty-ſix, the above mentioned Act, and the ſeveral Matters and Things therein contained, ſhall be, and is and are hereby repealed and made void to all Intents and Purpoſes whatſoever.

This action upon the part of *Great Britain* was made known to *Virginians* by a proclamation iſſued by Governor *Fauquier* on the 6th day of *June* 1766.

A PROCLAMATION.

VIRGINIA, *to wit:*

Whereas, his Majeſty has been graciouſly pleaſed to give his aſſent to an act of Parliament (a copy of which is now in this colony) entitled *An Act to repeal an act made in the laſt ſeſſion of Parliament, entitled An Act for granting and applying certain Stamp Duties, and other duties, in the* Britiſh *colonies and plantations in* America, *towards further defraying the expenſe of defending, protecting, and ſecuring the ſame; and for amending ſuch parts of the ſeveral acts of Parliament, relating to the trade and revenue of the ſaid colonies and plantations, as direct the manner of determining and recovering the penalties and forfeitures therein mentioned:* I have thought proper, by and with the advice of his Majeſty's Council, to iſſue this proclamation, hereby notifying the ſame; to the end that all magiſtrates, officers, and others whom it may concern, do proceed on buſineſs, and execute the reſpective duties of their office in the uſual courſe. And for the more ſolemn ſignification thereof, I do appoint this proclamation to be read and publiſhed at the courthouſe of the ſeveral counties within this dominion.

Given under my hand, and the ſeal of the colony, at *Williamſburg*, this 9th day of *June* 1766, and the 6th year of his Majeſty's reign.

FRANCIS FAUQUIER.

GOD SAVE THE KING.

So ended the greateſt of tax diſputes in the hiſtory of the Colonies. The repeal of the Stamp Act was conſidered not only a happy deliverance from an unjuſt tax, but it at once gave the Colonies a poſition of prominence which they had never before held. They became

[1] Statutes at Large, VI, p. 667.

became important factors to be conſidered by *Great Britain* in the adminiſtration of its colonial affairs, and, recogniſing that they occupied ſuch a poſition, the Colonies determined upon cloſer relations among themſelves than had heretofore exiſted. The various Aſſemblies were wont to take action on any important queſtion without knowing the poſition others had aſſumed under ſimilar conditions, and, in fact, many laws paſſed by theſe bodies were to all intents and purpoſes national as well as of local importance.

Such was the reſult of the action of *Great Britain*, in creating a law that was framed and advocated by ſuch ſtateſmen as the Duke of *Cumberland*, Lord *Townſend* and others and, but for entruſting the deſtinies of the Colonies to ſuch men, *Great Britain* would undoubtedly have exerciſed juriſdiction over *America* much later than 1776.

JOHN PENDLETON KENNEDY.

Richmond, June, 1907.

JOURNAL

of the

HOUSE OF BURGESSES

1761

Burgeſſes.

Accomac	Thomas Parramore
	Southey Simpſon
Albemarle	*Thomas Walker
	John Fry
Amelia	*David Greenhill
	*Thomas Tabb
Amherſt	*William Cabell
	Cornelius Thomas
Auguſta	*Iſræl Chriſtian
	*John Wilſon
Bedford	William Callaway
	John Talbot
Brunſwick	*Iſaac Rowe Walton
	William Thornton
Buckingham	Robert Bolling
	*Joſeph Cabell
Caroline	*Edmund Pendleton
	*John Baylor
Charles City	*Benjamin Harriſon
	William Kennon
Cheſterfield	*Archibald Cary
	Richard Eppes
The College	*Mann Page
Culpeper	James Barbour
	John Field
Cumberland	*George Carrington
	John Fleming
Dinwiddie	Robert Bolling
	*Leonard Claiborne, Jr.
Elizabeth City	*George Wythe
	*William Wager
Eſſex	*John Upſhaw
	John Lee
Fairfax	George Johnſton
	John Weſt
Fauquier	Thomas Marſhall
	Thomas Harriſon
Frederick	*George Waſhington
	George Mercer
Glouceſter	John Page
	*Thomas Whiting
Goochland	John Payne
	Joſias Payne
Halifax	Nathaniel Terry
	Robert Wade
Hampſhire	James Keith
	Thomas Rutherford
Hanover	*John Syme
	Nathaniel Weſt Dandridge
Henrico	Bowler Cocke
	†William Randolph
Iſle of Wight	James Bridger
	Joſeph Bridger
James City	Lewis Burwell
	Philip Johnſon
Jameſtown	Edward Champion Travis
King & Queen	*John Robinſon
	*†George Braxton
King George	*Charles Carter
	*Charles Carter, Jr.
King William	*Bernard Moore
	*Carter Braxton
Lancaſter	*Charles Carter
	Richard Mitchell
Loudoun	Francis Lightfoot Lee
	James Hamilton
Louiſa	William Johnſon
	Thomas Johnſon
Lunenburg	Clement Reade
	Henry Blagrave
Middleſex	John Smith
	Ralph Wormeley
Nanſemond	Lemuel Riddick
	Willis Riddick
New Kent	*Gill Armiſtead
	Richard Adams
Norfolk	No election held
	See Page 18
Norfolk Borough	*Joſeph Hutchings
Northampton	John Harmanſon
	Thomas Dalby
Northumberland	*§Preſley Thornton
	Spencer Hall
Orange	*James Taylor
	James Walker
Prince Edward	*Peter Legrand
	Abner Naſh
Prince George	*Richard Bland
	Richard Bland, Jr.

*Not ſhown by the Journal to have been preſent during the Aſſembly.
†Died ſhortly after election was held.
§Appointed to Council.

Prince William	*Henry Lee
	*John Baylis
Princefs Anne	Anthony Walke
	Edward Hack Mofeley
Richmond	*Landon Carter
	*John Woodbridge
Southampton	Jofeph Gray
	Benjamin Symmons
Spotfylvania	Fielding Lewis
	*Benjamin Grymes
Stafford	William Fitzhugh
	Thomas L. Lee
Surry	Hartwell Cocke
	Henry Browne
Suffex	David Mafon
	John Edmunds
Warwick	*William Digges
	William Harwood
Weftmoreland	*Richard Henry Lee
	*Richard Lee
Williamfburg	*Peyton Randolph
York	*Dudley Digges
	Thomas Nelfon, Jr.

*Not fhown by the Journal to have been prefent during the Affembly.

JOURNAL

of the

HOUSE OF BURGESSES

Tuesday, the 3rd of November, 2 Geo. III. 1761.

SIXTY FIVE *Members* having taken the Oaths appointed to be taken by Act of Parliament, inſtead of the Oath of Allegiance and Supremacy, and taken and ſubſcribed the Oath of Abjuration, and alſo ſubſcribed the Teſt, took their Places in the Houſe.

A *Meſſage* from the Governour by Mr *Walthoe.*

Gentlemen of the Houſe of Burgeſſes,
The Governour commands your immediate Attendance in the Council Chamber.

The Houſe went up accordingly, and the Governour was pleaſed to ſay to them:

Gentlemen of the Houſe of Burgeſſes,
You muſt return again to your Houſe, and immediately proceed to the Choice of a Speaker.

Being returned, Mr *Bland* reminded the Houſe of the Governour's Commands to proceed to the Choice of a Speaker, and he recommended *John Robinſon*, Eſq; who had for many Years paſt, and in many Aſſemblies, executed that important Truſt, and had given undeniable Proofs of his Abilities and Integrity: And he was accordingly unanimouſly elected Speaker, and in the uſual Manner conducted to the Chair; from whence he returned his Thanks to the Houſe for the Honour they had conferred on him, and expreſſed the juſt Senſe he had of the Obligation they laid him under.

Ordered, That a Meſſage be ſent to the Governour, to acquaint him that this Houſe, in Obedience to his Commands, have made Choice of a Speaker, and to know his Pleaſure when they ſhall attend to preſent him; and that Mr *Bland*, and Mr *Charles Carter*, Jun. do wait on him with the ſaid Meſſage.

They accordingly withdrew; and being returned, Mr *Bland* reported that the Governour was pleaſed to ſay he was then ready to receive them in the Council Chamber.

And accordingly the Houſe went up with their Speaker elect, and the Governour was pleaſed to declare he was particularly pleaſed with their Choice. Mr *Speaker* then, in Behalf of the Houſe, petitioned the Governour that they might enjoy their ancient Rights and Privileges, ſuch as Freedom of Speech and Debate, Exemptions from Arreſts, and Protection for their Eſtates; and for himſelf, he intreated that no Miſtakes of his might be imputed to the Houſe.

To which the Governour anſwered, that he ſhould take Care to defend them in all their juſt Rights and Privileges.

Being returned, Mr *Speaker* reported that the Houſe had attended he Governour in the Council Chamber, and preſented their Speaker; that he was pleaſed to approve of their Choice, and then made a Speech to the Council and this Houſe, of which he had, to prevent Miſtakes, obtained a Copy; which he read, and afterwards delivered in at the Table, where it was again read, and is as follows:

Gentlemen

Gentlemen of the Council, Mr Speaker, and Gentlemen of the Houſe of Burgeſſes,

It was neceſſary for me to convene you at this Time, that you might take into your Conſideration the preſent State of the Regiment, and the Time for which it ſtands provided. To prevent laying any unneceſſary Burthen on you, it was my Reſolution to leave this Matter entirely to yourſelves, as you were the moſt competent Judges of the Condition of your own Frontiers; without requiring a ſingle Man from you, unleſs his Majeſty had demanded any: But Sir Jeffrey Amherſt, *in a Letter I have received from him, in Anſwer to one I wrote to him on that Head, has given ſuch Reaſons for the Continuance of the Regiment, at Leaſt until a ſolid Peace is concluded with the* Cherokee *Indians, as have had great Weight with me; for which Reaſon I ſhall lay his Letter before you for your Deliberations thereon, not doubting but you will ſee the Utility of purſuing the Meaſures he recommends to me.*

I wiſh it had been now in my Power to have given you any certain Intelligence of the Progreſs made towards a Peace with thoſe Indians; *but the laſt Letter I have received from the Lieutenant Governour of* South Carolina, *in whoſe Province theſe Negotiations are carrying on, was the 25th of* May *laſt. If any freſh Information ſhould arrive, during your preſent Seſſion, you may depend on my immediately communicating it to you.*

It is with great Pleaſure I can acquaint you that Meſſ. John Chiſwell *and* Thomas Walker, *the two Gentlemen whom, authorized by you, I appointed my Commiſſioners to meet thoſe* Indians *on our Frontiers, executed that Commiſſion with Punctuality and Expedition, to the Satiſfaction of myſelf and his Majeſty's Council; and I now recommend them to you, to make them ſuch Recompenſe as their Service merits.*

I have received Letters from Colonel Stephen, *who informs me that ſince the Command of the Regiment had devolved on him he has proceeded as far as the* Big Iſland, *and encamped on the main Branch of* Holſton *River; where he has received ſubmiſſive Letters from ſome of thoſe* Indian *Chiefs who were ſuppoſed to be the moſt averſe to Peace, Copies of which he has ſent to me, with his Anſwers. This Place Colonel* Stephen *points out as very proper on which to erect a Fort and Storehouſe. As I am uncertain whether this Spot is actually within this Colony, or in* North Carolina, *and am utterly unacquainted with the Advantages to be expected from carrying on a Trade with thoſe* Indians, *I ſhall refer the Conſideration of this Matter wholly to you, and have deferred giving him any Anſwer until I ſhould have your Reſolution thereon. This Letter, and Papers, I ſhall now lay before you.*

Mr Speaker, and Gentlemen of the Houſe of Burgeſſes,

The Allotment made to this Colony out of the £ 200,000 *granted by the* Britiſh *Parliament for the Services performed by the Colonies for the Year* 1759, *which is now, I am informed, in the Hands of your Agent, will be perhaps ſufficient to anſwer the Expenſes of providing for the Regiment for a longer Time, without your being obliged to lay any additional Burthen on the Inhabitants of this Colony, or creating any new Emiſſion of Paper Currency; a Thing, if poſſible, to be avoided; yet, if found to be abſolutely neceſſary, to be complied with: For, Neceſſity has no Law. I have the greateſt Confidence in your Prudence, that you will conduct yourſelves in a Manner ſuitable to your Duty to our moſt gracious Sovereign, and the true permanent Intereſt of your Country.*

Gentlemen of the Council and of the Houſe of Burgeſſes,

As the laſt Aſſembly took into their Conſideration the Grievances, and provided for the Wants, of the Colony, by enacting ſeveral wholeſome Laws for the Benefit of the Community, there will conſequently be but little Buſineſs for you to enter on this Seſſion; and I ſhall only recommend to you that Zeal, Unanimity and Deſpatch, which I have ſo frequently and ſo ſatiſfactorily experienced during the repeated Seſſions of the laſt General Aſſembly; and which I have not the leaſt Room to doubt but I ſhall find as active through the Courſe of this, which I hope will continue as long as our Conſtitution, and the Example of our Mother Country, will permit.

Reſolved

Reſolved, That an humble Addreſs be preſented to his Honour the Governour, to return him the Thanks of this Houſe for his affectionate Speech; to aſſure him we will ſeriouſly conſider the ſeveral Matters he has been pleaſed to recommend to us, and will proceed therein with Zeal, Unanimity and Deſpatch.

Ordered, That a Committee be appointed to draw up the ſaid Addreſs; and it is referred to Mr *Attorney*, Mr *Pendleton* and Mr *Bland*, to prepare and bring in the ſame.

Reſolved, That this Houſe will take the Governour's Speech into Conſideration Tomorrow.

Mr *Speaker* reported that the Governour had delivered to him the ſeveral Letters mentioned in his Honour's Speech, with Directions to lay the ſame before this Houſe.

And the ſaid *Letters* were read, and ordered to lie on the Table.

Ordered, That the Reverend Mr *Yates* be appointed Chaplain to this Houſe, and that he attend to read Prayers every Morning at Ten o'Clock.

Ordered, That *Thomas Broadrib*, *James Lavie*, *Thomas Francis* and *Nathaniel Hix*, be appointed Doorkeepers to the Houſe, and that they give their Attendance accordingly.

And then the Houſe adjourned until Tomorrow Morning, Ten o'Clock.

Wednesday, the 4th of November, 2 Geo. III. 1761.

ORDERED, That an Addreſs be made to the Governour to order a new Writ to iſſue for electing a Burgeſs to ſerve in this preſent General Aſſembly for the County of *Henrico*, in the Room of *William Randolph*, Gentleman, deceaſed, and that Mr *Bowler Cocke* do wait on him with the ſaid Addreſs.

Ordered, That an Addreſs be made to the Governour to order a new Writ to iſſue for the electing a Burgeſs to ſerve in this preſent General Aſſembly for the County of *King* and *Queen*, in the Room of *George Braxton*, Gentleman, deceaſed, and that Mr *Pendleton* do wait on him with the ſaid Addreſs.

Ordered, That an Addreſs be made to the Governour to order a new Writ to iſſue for electing a Burgeſs to ſerve in this preſent General Aſſembly for the County of *Northumberland*, in the Room of the Honourable *Preſly Thornton*, Eſq; appointed one of his Majeſty's Council for this Colony, and that Mr *Henry Lee* do wait on him with the ſaid Addreſs.

6 On a *Motion* made,

Ordered, That all ſuch Claims and Propoſitions as ſhall be certified to this Seſſion of Aſſembly be referred to the Conſideration of the next Seſſion of Aſſembly.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For regulating the Fees and Charges of Perſons practiſing Phyſick, Surgery and Midwifery, in this Colony; and it is referred to Mr *Landon Carter*, and Mr *Richard Henry Lee*, to prepare and bring in the ſame.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To empower the Veſtry of the Pariſh of *Hanover*, in the County of *King George*, to ſell their preſent Glebe Lands, and to lay out the Money in the Purchaſe of a more convenient Glebe; and it is referred to Mr *Charles Carter*, and Mr *Charles Carter*, Junior, to prepare and bring in the ſame.

Several *Petitions* of *Henry Orm*, *John Dony*, *William Chiſam*, *John Fitzpatrick* and *Henry Moxom*, late Soldiers of the *Virginia* Regiment, who have been diſcharged as diſabled and unfit for Service, and praying Relief, were ſeverally preſented to the Houſe and read.

Ordered, That the ſaid Petitions be referred to Mr *Waſhington*, Mr *Bland*, Mr *Wilſon* and Mr *Chriſtian*; that they examine into the Allegations of the ſaid Petitions reſpectively, and report the ſame, with their Opinions thereon, to the Houſe.

A *Petition* of ſundry Inhabitants of the Counties of *Amherſt* and *Buckingham*, ſetting forth that before their Diviſion from the County of *Albemarle* a complete Set

of

of Weights and Meaſures of the *Engliſh* Standard had been purchaſed for the Uſe of that County, of which they paid their proportionable Part; and praying that the Inhabitants of the ſaid County of *Albemarle* may be obliged to reimburſe them, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the next Seſſion of Aſſembly.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For appointing a Treaſurer, and it is referred to Mr *Bland* to prepare and bring in the ſame.

The *Order* of the Day being read for the Houſe to take into their Conſideration the Governour's Speech.

Reſolved, That this Houſe will reſolve itſelf into a Committee on the ſaid Speech.

Ordered, That the ſeveral Letters mentioned in the ſaid Speech, and Yeſterday laid before the Houſe, be referred to the Conſideration of the ſaid Committee.

And then the Houſe reſolved itſelf into a Committee on the ſaid Speech and Letters; and after ſome Time ſpent therein Mr *Speaker* reſumed the Chair and Mr *Charles Carter* reported that the Committee had had the ſaid Speech and Letters under their Conſideration, and had come to two Reſolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That the Regiment now in the Service of this Colony be further continued.

Reſolved, That a Sum not exceeding £ 12,000 be raiſed for the Pay and Maintenance of the ſaid Regiment.

Mr *Carter* alſo reported that the Committee, not having Time to go through the ſaid Speech, had directed him to move for Leave to ſit again.

Reſolved, That this Houſe will again reſolve itſelf into a Committee on the ſaid Speech Tomorrow. 7

On a *Motion* made,

The Houſe immediately reſolved itſelf into a Committee to conſider of Ways and Means for raiſing the Sum of £ 12,000, agreeable to the above Reſolution; and after ſome Time ſpent therein Mr *Speaker* reſumed the Chair, and Mr *Charles Carter* reported that the Committee had had that Matter under their Conſideration, and had come to a Reſolution thereon, which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe, as follows:

Reſolved, That the Sum of £ 12,000 be raiſed by Bills of Exchange, to be drawn on *Edward Montagu*, Eſq;

Ordered, That a Bill or Bills be brought in, purſuant to the three foregoing Reſolutions; and it is referred to Mr *Charles Carter*, Mr *Attorney*, Mr *Pendleton*, Mr *Grymes*, Mr *Walker* and Mr *Cary*, to prepare and bring in the ſame.

Ordered, That a Committee of Privileges and Elections be appointed of the following Perſons:

Mr *Attorney*.

Mr *Charles Carter*.	Mr *Dudley Digges*.
Mr *Bland*.	Mr *Wythe*.
Mr *Landon Carter*.	Mr *Richard Henry Lee*.
Mr *William Digges*.	Mr *Pendleton*.
Mr *Benjamin Harriſon*.	Mr *Whiting*.
Mr *John Page*.	Mr *Baylor*.

And they are to meet and adjourn from Day to Day, and examine in the firſt Place all Returns of Writs for electing Burgeſſes to ſerve in this preſent General Aſſembly and compare the ſame with the Form preſcribed by Law; and to take into their Conſideration all ſuch Matters as ſhall or may come in Queſtion touching Returns, Elections and Privileges; and to report their Proceedings, with their Opinions thereon, from Time to Time, to the Houſe; And the ſaid Committee is to have Power to ſend for Perſons, Papers and Records, for their Information.

Reſolved

Reſolved, That five of the ſaid Committee be a ſufficient Number to make a Committee.

Reſolved, That in all Caſes of controverted Elections to be heard at the Bar of this Houſe, or before the Committee of Privileges and Elections, the Petitioners do by Themſelves, or by their Agents, within a convenient Time, to be appointed either by the Houſe or the Committee of Privileges and Elections, as the Matter to be heard ſhall be before the Houſe or the ſaid Committee, deliver to the ſitting Members, or their Agents, Liſts of the Perſons intended by the Petitioners to be objected to, who voted for the ſitting Members, giving in the ſaid Liſts the ſeveral Heads of Objection, and diſtinguiſhing the ſame, againſt the Names of the Voters excepted to; and that the ſitting Members do by Themſelves, or their Agents, within the ſame Time, deliver the like Liſts on their Part to the Petitioners, or their Agents.

And then the Houſe adjourned until Tomorrow Morning, Ten o'Clock.

Thurſday, the 5th of November, 2 Geo. III. 1761.

MR *Attorney* reported that the Committee appointed had, according to Order, prepared an Addreſs to the Governour, which he read in his Place and afterwards delivered in at the Table, where the ſame was again twice read, and agreed to, and is as follows:

SIR,

We his Majeſty's moſt dutiful and loyal Subjects, the Burgeſſes of Virginia, *now met in General Aſſembly, return you our Thanks for your Speech at the Opening of this Seſſion.*

Your affectionate and tender Manner of applying to this Houſe cannot but add to that Eſteem your Conduct had before raiſed very high. The Regard you have always ſhown for the Welfare of the People, the Freedom and Sincerity we muſt all have obſerved in your Adminiſtration, will ever keep up the ſame Sentiments of Gratitude and Affection to your Perſon and Government. We are fully ſatiſfied that you will never aſk any Thing of this Aſſembly but what you are convinced will be agreeable to our Duty to his Majeſty, and the true permanent Intereſt of this Colony; and it will be with great Reluctance we ſhall ever deviate from thoſe Meaſures which you think will be productive of thoſe ſalutary Ends.

You may be aſſured, Sir, we ſhall take under our Conſideration the ſeveral Matters you have been pleaſed to recommend to us, with all poſſible Zeal, Unanimity and Deſpatch.

Ordered, That the ſaid Addreſs be fairly tranſcribed, and preſented by the whole Houſe.

Ordered, That the Committee who prepared the ſame wait on the Governour, to know his Pleaſure when this Houſe ſhall attend his Honour to preſent it.

Mr *Bland* preſented to the Houſe, according to Order, a Bill For appointing a Treaſurer; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

A *Meſſage* from the Council by Mr *Walthoe*.

That they had ſent down for the Conſideration of this Houſe ſeveral Letters from Edward Montagu, *Eſq; Agent for this Colony, which had been laid before them by the Committee of Correſpondence.*

Ordered, That the ſaid Letters do lie on the Table for the Peruſal of the Members of this Houſe.

A *Petition* of Mr *James Wallace*, complaining of an undue Election and Return of Mr *William Wager*, to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Elizabeth City*.

Alſo a *Petition* of Mr *John Leigh*, complaining of an undue Election and Return of Mr *Peter Legrand*, to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Prince Edward*.

Alſo

Alſo a *Petition* of Mr *John Clack*, complaining of an undue Election and Return of Mr *Iſaac Row Walton*, to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Brunſwick*, were ſeverally preſented to the Houſe and read.

Ordered, That the ſaid Petitions be referred to the Committee of Privileges and Elections; that they do examine into the Allegations thereof, and report the ſame, as they ſhall appear to them, with their Opinions thereupon, to the Houſe.

Mr *Charles Carter*, from the Committee appointed preſented, to the Houſe, according to Order, a Bill For further continuing the Regiment in the Servce of this Colony; and the ſame was read the firſt Time, and ordered to be read a ſecond Time. 9

He alſo preſented to the Houſe, according to Order, a Bill To empower the Veſtry of the Pariſh of *Hanover*, in the County of *King George*, to ſell their preſent Glebe Lands, and to lay out the Money in the Purchaſe of a more convenient Glebe; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* of ſundry Inhabitants of the Town of *Staunton*, in the County of *Auguſta*, ſetting forth that the late Colonel *Beverley* had given to that County 25 Acres of Land adjoining the ſaid Town, to be added to and made Part thereof, which are ſince laid out into Lots; and praying that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Ordered, That a Bill be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Chriſtian* and Mr *Wilſon* to prepare and bring in the ſame.

A *Petition* of ſundry Inhabitants of the County of *Bedford*, ſetting forth that *William Callaway*, Gentleman, had given 100 Acres of Land to the ſaid County, adjoining the Court Houſe, to be laid off into a Town; and praying that an Act may paſs to eſtabliſh the ſame, was preſented to the Houſe and read.

Ordered, That it be an Inſtruction to the Committee appointed to prepare and bring in a Bill For enlarging the Town of *Staunton*, in the County of *Auguſta*, that they receive a Clauſe or Clauſes purſuant to the Prayer of the ſaid Petition.

Mr *Waſhington* reported that the Committee appointed had had under their Conſideration the ſeveral Petitions of *Henry Orm*, *Henry Moxom*, *John Fitzpatrick*, *William Chiſam* and *John Dony*, late Soldiers of the *Virginia* Regiment, and diſcharged as unfit for further Service, to them referred, and had come to two Reſolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That the Allegations of the ſaid Petitions are true.

Reſolved, That the ſaid *Henry Moxom* ought to be allowed the Sum of £ 25, and the ſaid *Henry Orm*, *John Fitzpatrick*, *William Chiſam* and *John Dony*, the Sum of £ 20 each, as a Satiſfaction for the Injuries they have ſuſtained in the Service of this Colony, to be paid by the Publick.

A *Petition* of ſundry Merchants on *Rappahannock* River, complaining that they are greatly impoſed on by a Set of Men called Pilots, who exact exorbitant Fees; and praying that a late Act of Aſſembly For eſtabliſhing the Rates of Pilotage, which expired ſome Time ago, may be revived, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the next Seſſion of Aſſembly.

A *Petition* of *Mann Page*, Eſq; ſetting forth that he is ſeized in Fee Taille of a Tract of Land in *Hanover*, whereon *Page's* and *Crutchfield's* Warehouſes ſtand, containing about 950 Acres; alſo of a Tract in *King William* County, of 2000 Acres; that he conceives it would be greatly to the Advantage of himſelf and his Poſterity to dock the Entail of thoſe Lands, on one of which he propoſes to eſtabliſh a Town, and to ſettle in Lieu thereof a Tract of Land of which he is ſeized in Fee in *Eſſex*, containing about 1380 Acres, with 53 Slaves to be annexed thereto, to the ſame Uſes; and praying that an Act may paſs for that Purpoſe.

Ordered, That a Bill be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Charles Carter* to prepare and bring in the ſame. 10

Several

Several *Claims* of *John Pulliam*, *Thomas Lane*, *Abel Stears*, *William Simſon*, *John Chiles*, *James Swain*, *Michael Thomas* and *Thomas Fitzpatrick*, for taking up Slaves therein mentioned, were ſeverally preſented to the Houſe and received, and referred to the Conſideration of the next Seſſion of Aſſembly.

The *Order* of the Day being read,

The Houſe again reſolved itſelf into a Committee to take into their further Conſideration the Governour's Speech, together with the ſeveral Letters to the ſaid Committee referred; and after ſome Time ſpent therein Mr *Speaker* reſumed the Chair, and Mr *Charles Carter* reported that the Committee had had the ſaid Speech and Letters under their further Conſideration, and gone through the ſame, and had come to a Reſolution thereon, which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe, as follows:

Reſolved, That the Sum of £ 150 be paid Meſſ. *John Chiſwell* and *Thomas Walker* each, in Conſideration of their Services as Commiſſioners appointed by the Governour to meet the *Cherokee* Indians on the Frontiers of this Colony.

Ordered, That the ſaid Reſolve be engroſſed, and that Mr *Charles Carter* do carry it to the Council for their Concurrence.

A *Petition* of *Philip Whitehead Claiborne*, ſetting forth that the late Mrs. *Unity Dandridge* being ſeized of two Tracts of Land, one of 800 and the other of 400 Acres, in *Hanover*, and alſo of a Tract in *King William* of about 400 Acres, deviſed the ſame to her Daughter *Elizabeth*, the Petitioner's Wife, for Life, with Power to diſpoſe thereof to her Children in Fee; that he conceives it would be greatly to the Advantage of himſelf and Family if he was allowed to ſell the two Tracts in *Hanover*, and to ſettle a Tract whereof he is ſeized in Fee in *Amelia*, with ſome Slaves, to be diſpoſed of by his Wife according to the Power given her by the Will of the ſaid *Unity Dandridge*; and praying that an Act may paſs for that Purpoſe.

Alſo a *Petition* of *John Weſt*, ſetting forth that he is ſeized in Taille male of about 4000 Acres of Land in *King William*, contiguous to the Town of *Delawar*, commonly called *Weſt Point*, from which, as he has but few Slaves, he receives but little Profit, and is greatly burthened with the Payment of Quitrents and Taxes for the ſame; that it would be greatly to the Advantage of himſelf and his Poſterity, and alſo enable him to provide for younger Children, if he was permitted to diſpoſe of Part of the ſaid Land, and lay out the Money in the Purchaſe of Slaves, to be annexed to the Reſidue, to deſcend and paſs therewith to the ſame Uſes; and praying that an Act may paſs for that Purpoſe.

Alſo a *Petition* of *William Todd*, ſetting forth that he is ſeized in Taille male of ſeveral Tracts of Land in *King* and *Queen*, and has but a ſmall Number of Slaves to work the ſame; that he has agreed with *Bernard Moore*, Gentleman, to ſell him 390 Acres, Part of the ſaid entailed Lands, for £ 292-10s. with which he intends to purchaſe Slaves; and praying that an Act may paſs to veſt the ſaid 390 Acres in the ſaid *Bernard Moore* in Fee, and to lay out the Money in the Purchaſe of Slaves, to be ſettled to the ſame Uſes as the ſaid entailed Lands, were ſeverally preſented to the Houſe and read.

Ordered, That Bills be brought in purſuant to the Prayers of the ſaid Petitions, reſpectively; and it is referred to Mr *Pendleton* to prepare and bring in the ſame.

11 On a *Motion* made,

The *Bill* For further continuing the Regiment in the Service of this Colony was read a ſecond Time, and ordered to be committed to a Committee of the whole Houſe.

Reſolved, That this Houſe will reſolve itſelf into a Committee on the ſaid Bill Tomorrow.

A *Petition* of *Joſeph Royle*, ſetting forth that by the Death of Mr *Hunter* the Office of Printer to the General Aſſembly is become vacant, and praying that he may be appointed to ſucceed him therein; aſſuring the Houſe that he will exert himſelf on all Occaſions to merit their Approbation, in deſpatching the publick Buſineſs; was preſented to the Houſe, and read.

Reſolved, That the ſaid *Joſeph Royle* be appointed Printer to this Houſe.

Reſolved

Reſolved, That the ſaid *Joſeph Royle* be allowed the Sum of £ 350 *per Annum*, to continue to the End of the next Seſſion of Aſſembly, as a full Conſideration for printing the Journals of the Houſe of Burgeſſes, printing the Laws of each Seſſion, and ſending 13 Copies of them to every County Court Clerk, one of which to be half bound for the Uſe of the Court; printing Inſpectors Notes and Books, Proclamations, and other publick Advertiſements.

Ordered, That the ſaid Reſolve be engroſſed, and that Mr *Attorney* do carry it up to the Council for their Concurrence.

A *Petition* of ſundry Inhabitants of the Pariſh of *St. Anne*, in the County of *Albemarle*, ſetting forth that before the Lines were run for dividing the ſaid County, purſuant to a late Act of Aſſembly, and without any Notice given, the Sheriff of the ſaid County aſſembled a few of his Neighbours to elect a Veſtry for the ſaid Pariſh, and accordingly they elected a Veſtry, ſeveral of whom were neither Freeholders nor Houſekeepers there; and praying that the ſaid Veſtry may be diſſolved, was preſented to the Houſe and read, and referred to the Conſideration of the next Seſſion of the Aſſembly.

On a *Motion* made,

The *Bill* To empower the Veſtry of the Pariſh of *Hanover*, in the County of *King George*, to ſell their preſent Glebe Lands, and to lay out the Money in the Purchaſe of a more convenient Glebe, was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time

On a *Motion* made,

Ordered, That Mr *George Davenport* be appointed Clerk to the Committee of Privileges and Elections.

And then the Houſe adjourned until Tomorrow Morning, Eleven o'Clock.

Friday, the 6th of November, 2 Geo. III. 1761.

MR *Attorney* reported that the Committee had, according to Order, waited on the Governour to know his Pleaſure when this Houſe ſhould attend him with their Addreſs; and that he was pleaſed to appoint this Day, and to ſay that he would ſignify by a Meſſage to the Houſe when he was ready to receive it.

Mr *Pendleton* preſented to the Houſe, according to Order, a Bill To veſt certain Lands therein mentioned in *Philip Whitehead Claiborne*, Gentleman, in Fee Simple, and for ſettling other Lands and Slaves in Lieu thereof; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Landon Carter*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill For regulating the Fees and Charges of Perſons practicing in Phyſick, 12
Surgery and Midwifery, in this Colony; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Pendleton* preſented to the Houſe, according to Order, a Bill To dock the Entail of certain Lands whereof *John Weſt*, Gentleman, is ſeized, and veſt them in Truſtees to be ſold, and for laying out the Money in the Purchaſe of Slaves, to be ſettled to the ſame Uſes.

Alſo a *Bill* To dock the Entail of certain Lands whereof *Mann Page*, Eſq; is ſeized, and for ſettling other Lands and Slaves of greater Value to the ſame Uſes; and the ſaid Bills were ſeverally read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* of ſundry Inhabitants of the County of *Frederick*, ſetting forth that one *Peter Stover* had laid out a Parcel of his Lands in that County into Lots and Streets for a Town; and praying that an Act may paſs for eſtabliſhing a Town on the ſaid Lands, was preſented to the Houſe and read.

Ordered, That it be an inſtruction to the Committee appointed to prepare and bring in a Bill For eſtabliſhing the Town of *Staunton*, in the County of *Auguſta*; that they receive a Clauſe or Clauſes, purſuant to the Prayer of the ſaid Petition.

A *Petition* of *Alexander Waugh*, Junior, ſetting forth that, being a Lieutenant in the Frontier Battalion in 1759, he was by his Honour the Governour appointed to recruit Men for the *Cherokee* Expedition in 1760, and having raiſed 40 able bodied Men marched them to the Place of Rendezvous; but being much fatigued in their March, by the exceſſive Heat of the Weather, and Major *Lewis*, then the Commanding Officer, being very ſtrict in receiving Recruits, eight of the Men he had enliſted were refuſed; but on Colonel *Byrd's* Arrival at the Camp, and finding he received ſeveral Men refuſed by Major *Lewis*, the Petitioner endeavoured to retake the eight Men refuſed, but met with only two of them who were received: That the other ſix, to whom he had advanced the full Bounty of £ 10 each, beſides being at the Expenſe of recruiting and ſubſiſting them to the Place of Rendezvous, got entirely off; and praying that he may be reimburſed the ſaid Bounty and other Expenſes, deducting the Sum of £ 13, which has been ſince returned him by thoſe Men, and which is all he has any Proſpect of getting from them, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to Mr *Pendleton*, Mr *Richard Henry Lee* and Mr *Taylor;* that they examine into the Allegations thereof, and report the ſame, with their Opinions thereon, to the Houſe.

A *Petition* of *Michael Lynn*, ſetting forth that in the Year 1756, being one of the Militia detached from *Prince William* he was wounded in an Engagement with a Party of *Indians* on the *South Branch*, which has rendered him incapable of Labour, and that he has moreover been at conſiderable Expenſe in effecting a Cure, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to Mr *Henry Lee* and Mr *William Cabell;* that they examine into the Allegations thereof, and report the ſame, with their Opinions thereon, to the Houſe.

Several *Claims* of *William Tomlenion* and *Benjamin Clark*, for taking up Runaways therein mentioned, were preſented to the Houſe and received, and referred to the Conſideration of the next Seſſion of Aſſembly.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill For further continuing the Regiment in the Service of this Colony.

Reſolved, That this Houſe will reſolve itſelf into a Committee on the ſaid Bill Tomorrow.

Ordered, That Mr *Woodbridge* be added to the Committee of Privileges and Elections.

On a *Motion* made,

The *Bill* To dock the Entail of certain Lands whereof *John Weſt*, Gentleman, is ſeized, and veſt them in Truſtees, to be ſold, and for laying out the Money in the Purchaſe of Slaves, to be ſettled to the ſame Uſes, was read a ſecond Time, and committed to Mr *Pendleton*, Mr *Braxton*, Mr *Baylor*, Mr *Armiſtead* and Mr *Richard Henry Lee*.

On a *Motion* made,

The *Bill* To veſt certain Lands therein-mentioned in *Philip Whitehead Claiborne*, Gentleman, in Fee Simple, and for ſettling other Lands and Slaves in Lieu thereof, was read a ſecond Time, and committed to Mr *Pendleton*, Mr *Moore*, Mr *Braxton*, Mr *Wythe*, Mr *Syme* and Mr *Greenhill*.

A *Meſſage* from the Governour by Mr *Walthoe*.

Mr *Speaker*,

I am commanded by the Governour to acquaint this Houſe that his Honour is now ready to receive their Addreſs in the Council Chamber.

Mr *Speaker* with the Houſe went up accordingly, and being returned reported that he, with the Houſe, had attended the Governour in the Council Chamber, and preſented the Addreſs of this Houſe to him, to which his Honour was pleaſed to return the following Anſwer:

Mr

Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

I return you my moſt ſincere Thanks for your affectionate Addreſs. To gain the Eſteem of Mankind, I conſider as the greateſt Source of human Bliſs; and if I have been ſo happy as to attain this, it ſhall be my conſtant Endeavours to preſerve it, by a uniform Conduct of Integrity and Sincerety in my Adminiſtration of your Affairs: And you may be aſſured that I ſhall never aſk any Thing of you but what I ſhall think conducive to his Majeſty's Service and the Welfare of this Colony the two great Points I have chiefly at Heart.

And then the Houſe adjourned until Tomorrow Morning, Eleven o'Clock.

Saturday, the 7th of November, 2 Geo. III. 1761.

MR *Pendleton* preſented to the Houſe, according to Order, a Bill To veſt certain entailed Lands therein mentioned in *Bernard Moore*, Eſq; in Fee Simple, and for laying out the Value thereof in Slaves, to be ſettled to the ſame Uſes; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* of Mr *John Baylis*, ſetting forth that by an Act paſſed the laſt Seſſion of Aſſembly, For enlarging the Town of *Dumfries*, in the County of *Prince William*, Part of the Lands contiguous thereto, in the Poſſeſſion of Mr *Bertrand Ewell*, were taken into the Limits of the ſaid Town, and veſted in the Truſtees, and they were directed to pay the Money ariſing from the Sale thereof to the ſaid *Ewell;* that he had purchaſed thoſe Lands of one *George Hancock*, and mortgaged them to him for the Payment of the Purchaſe Money at a certain Day, who had aſſigned the ſaid Mortgage to the Petitioner for a valuable Conſideration paid him; and that the ſaid *Ewell*, having failed paying the Money, the Petitioner had before the paſſing of the ſaid Act brought his Bill in the General Court to foreclоſe the Equity of Redemption; and praying that, as he has no other Security for his Debt, an Act may paſs directing the ſaid Truſtees either to retain the Money ariſing from the Sale of the ſaid Lands in their own Hands, or put it out at Intereſt on good Security until the Determination of the ſaid Suit in Chancery; was preſented to the Houſe and read. 14

Ordered, That a Bill or Bills be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Landon Carter* to prepare and bring in the ſame.

Mr *Pendleton* reported that the Committee to whom the Petition of *Alexander Waugh*, Junior, was referred had examined into the Allegations thereof, and found them to be true, and had agreed on a Report, and come to a Reſolution thereon, which he read in his Place, and then delivered in at the Table, where the ſame were again twice read, and agreed to by the Houſe, as follow:

It appears to your *Committee* that the ſaid *Alexander Waugh* paid the ſix Men in his Petition mentioned the Sum of £ 10 each for the Bounty allowed by Law, and that he advanced the Sum of £ 13 for the Expenſe of recruiting them, and for their Subſiſtence from the Time of their Enliſtment until they arrived at the Place of Rendezvous; that the ſaid *Alexander Waugh* hath ſince received £ 13 in Part of the ſaid Bounty Money from ſome of the ſaid ſix Men, who nevertheleſs threaten to ſue him for the Money ſo returned, inſiſting they are entitled to the ſame, as they were willing to ſerve, and were refuſed by the Commanding Officer.

Reſolved, That the ſaid *Alexander Waugh* ought to be paid the Sum of £60 by the Publick.

Mr *Attorney*, from the Committee of Privileges and Elections, reported that the Committee had had under their Conſideration the Petition of Mr *John Clack*, to them referred, complaining of an undue Election and Return of Mr *Iſaac Row Walton* to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Brunſwick*, and had

had come to ſeveral Reſolutions thereon, which he read in his Place, and then delivered in at the Table; where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That the Perſons who voted at the ſaid Election, whoſe Freeholds are queſtioned either by the Petitioner or the ſitting Member, be examined on Oath before *John Willis*, *Nathaniel Edwards*, *Nicholas Edmunds*, *Drury Stith* and *John Maclin*, of the ſaid County of *Brunſwick*, Gentlemen, or any three of them, whether they be Freeholders or not, except ſuch of them as did ſwear to their Freeholds at the ſaid Election.

Reſolved, That the Petitioner and ſitting Member be at Liberty to examine Witneſſes before the ſame Perſons as to the Freehold of any Perſon who voted at the ſaid Election, although ſuch Perſons ſwore to their Freeholds at the Election, or ſhall ſwear to them at the Examination; and that it be an Inſtruction to the Perſons before whom ſuch Examinations are taken to examine how long ſuch Voters have been in Poſſeſſion of, and paid Quitrents for, the Lands or Tenements in Right of which they voted at the Election, and that they return the Depoſitions they ſhall take to the next Seſſion of Aſſembly.

Reſolved, That the Petitioner give to the ſitting Member ten Days Notice of the Time and Place when and where he intends to examine his Witneſſes, alſo a Liſt in Writing of the Names of the Voters he intends to except to, diſtinguiſhing againſt each Name the ſeveral Heads of Exception, and that the ſitting Member do the like to the Petitioner.

Reſolved, That the further Conſideration of the ſaid Petition be referred to the next Seſſion of the Aſſembly.

Mr *Attorney* alſo reported that the ſaid Committee had had under their Conſideration the Petition of Mr *John Leigh*, complaining of an undue Election and Return of Mr *Peter Legrand*, to ſerve as a Burgeſs in this preſent General Aſſembly, for the County of *Prince Edward*, to them referred, and had come to ſeveral Reſolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That the Perſons who voted at the ſaid Election, whoſe Freeholds are queſtioned either by the Petitioner or ſitting Member, be examined on Oath before *John Naſh* the elder, *Thomas Scott*, *John Morton*, *Henry Watkins* and *Abner Naſh*, of the ſaid County of *Prince Edward*, Gentlemen, or any three of them, whether they be Freeholders or not, except ſuch of them as did ſwear to their Freeholds at the Election.

Reſolved, That the Petitioner and ſitting Member be at Liberty to examine Witneſſes before the ſame Perſons as to the Freehold of any Perſon who voted at the ſaid Election, although ſuch Perſons ſwore to their Freeholds at the Election, or ſhall ſwear to the ſame at the Examination; and that it be an Inſtruction to the Perſons before whom ſuch Examinations are taken, to examine how long ſuch Voters have been in Poſſeſſion of, and paid Quitrents for, the Lands or Tenements in Right of which they voted at the Election, and that they return the Depoſitions they ſhall take to the next Seſſion of Aſſembly.

Reſolved, That the Petitioner give to the ſitting Member ten Days Notice of the Time and Place when and where he intends to examine his Witneſſes, alſo a Liſt in Writing of the Names of the Voters he intends to except to, diſtinguiſhing againſt each Name the ſeveral Heads of Exception, and that the ſitting Member do the like to the Petitioner.

Reſolved, That the further Conſideration of the ſaid Petition be referred to the next Seſſion of Aſſembly.

Mr *Attorney* alſo reported that the ſaid Committee had likewiſe had under their Conſideration the Petition of Mr *James Wallace* to them referred, complaining of an undue Election and Return of Mr *William Wager* to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Elizabeth City*, and had come to ſeveral Reſolutions thereon, which he read in his Place, and then delivered in at the Table, where the ſame were again twice read, and agreed to by the Houſe, as follow:

Reſolved

Reſolved, That the Perſons who voted at the ſaid Election, whoſe Freeholds are queſtioned either by the Petitioner or ſitting Member, be examined on Oath before *John Tabb*, *Cary Selden*, *Charles Jennings*, *George Wray* and *James Balfour*, of the ſaid County of *Elizabeth City*, Gentlemen, or any three of them, whether they be Freeholders or not, except ſuch of them as did ſwear to their Freeholds at the Election.

Reſolved, That the Petitioner and ſitting Member be at Liberty to examine Witneſſes before the ſame Perſons as to the Freeholds or other Qualifications of any Perſon who voted at the ſaid Election, although ſuch Perſons ſwore to their Freeholds at the Election, or ſhall ſwear to the ſame at the Examination; and that it be an Inſtruction to the Perſons before whom ſuch Examinations are to be taken to examine how long ſuch Voters have been in Poſſeſſion of, and paid Quitrents for, the Lands or Tenements in Right of which they voted at the Election, and that they return the Depoſitions they ſhall take to the next Seſſion of Aſſembly.

Reſolved, That the Petitioner give to the ſitting Member ten Days Notice of the Time and Place and when and where he intends to examine his Witneſſes, alſo a Liſt in Writing of the Names of the Voters he intends to except to, diſtinguiſhing againſt each Name the ſeveral Heads of Exception; and that the ſitting Member do the like to the Petitioner.

Reſolved, That as well the Petitioner as the ſitting Member be at Liberty to examine 16
Witneſſes before the ſame Perſons as to the Sheriff's Agreement to defer cloſing the Pole by the Conſent of the Candidates, and afterwards to poſtpone it until Sunſetting; and as to his being informed, before he cloſed the Pole, that two Freeholders were then on their Way to the Court Houſe, and the Diſtance they were from the Court Houſe when the Pole was cloſed, and as to the Time when the Pole was cloſed; and alſo to examine the Reverend Mr *Warrington*, and the two Freeholders above mentioned, and any other Witneſſes, on Oath, as to their Intentions and Declarations to vote for any and which of the Candidates.

Reſolved, That the further Conſideration of the ſaid Petition be referred to the next Seſſion of Aſſembly.

The *Order* of the Day being read,

The Houſe reſolved itſelf into a Committee on the Bill For further continuing the Regiment in the Service of this Colony; and after ſome Time ſpent therein Mr *Speaker* reſumed the Chair, and Mr *Charles Carter* reported that the Committee had had the ſaid Bill under their Conſideration, and had made ſeveral Amendments thereto, which he read in his Place, and then delivered in at the Table, where they were again twice read and agreed to by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

A *Petition* of the Honourable *Robert Carter*, Eſq; ſetting forth that he is ſeized in Taille male of a Tract of Land called *Hudſon's* of 500 Acres, on the Head of *Nomony* River, in the County of *Weſtmoreland*, on which he has made conſiderable Improvements; and that he is alſo ſeized in Fee of 6030 Acres of Land on *Bull Run*, in *Prince William* and *Loudoun* Counties: That it will be greatly to the Advantage of himſelf and Family to be enabled to ſell the ſaid Land called *Hudſon's*, thereby to raiſe Money to diſcharge ſome Encumbrances on that and other entailed Eſtates of the Petitioner's, and to ſettle ſo much of the ſaid *Bull Run* Tract in Lieu thereof as is of greater Value, excluſive of the ſaid Improvements; and praying that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Ordered, That a Bill be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Wythe* to prepare and bring in the ſame.

A *Bill* For appointing a Treaſurer was read a ſecond Time, and ordered to be committed to a Committee of the whole Houſe immediately.

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The Houſe accordingly reſolved itſelf into the ſaid Committee, and after ſome Time ſpent therein Mr *Speaker* reſumed the Chair, and Mr *Charles Carter* reported that the Committee had had the ſaid Bill under their Conſideration, but, not having Time to go through the ſame, they had directed him to move for Leave to ſit again.

Reſolved, That this Houſe will again reſolve itſelf into a Committee on the ſaid Bill on *Monday* next.

A *Petition* of Mr *Henry Peyton*, complaining of an undue Election and Return of Mr *John Baylis* and Mr *Henry Lee*, to ſerve as Burgeſſes in this preſent General Aſſembly for the County of *Prince William*, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Committee of Privileges and Elections; that they examine into the Allegations thereof, and report the ſame, with their Opinions thereon, to the Houſe.

Several *Claims* of *Thomas Chew*, *William Bell* and *John Mallory*, for taking up Runaways therein mentioned, were ſeverally preſented to the Houſe and received, and referred to the Conſideration of the next Seſſion of Aſſembly.

17 Mr *Chriſtian* from the Committee appointed, preſented to the Houſe, according to Order, a Bill For eſtabliſhing the Town of *Staunton*, in the County of *Auguſta*, and *New London*, in the County of *Bedford*, and *Straſburg* in the County of *Frederick;* and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Wythe* preſented to the Houſe, according to Order, a Bill To dock the Entail of certain Lands whereof *Robert Carter*, Eſq; is ſeized, and to ſettle other Lands of greater Value to the ſame Uſes; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

And then the Houſe adjourned until Monday Morning, Eleven o'Clock.

Monday, the 9th of November, 2 Geo. III. 1761.

AN *Account* and *Claim* of Captain *Robert Brakenridge*, for the Pay of a Company of Militia draughted out of the County of *Auguſta*, under his Command, was preſented to the Houſe and received.

Ordered, That the ſame be referred to Mr *Wilſon* and Mr *Syme;* that they examine the ſeveral Articles thereof by the proper Vouchers, and report the ſame, with their Opinions thereon, to the Houſe.

Mr *Landon Carter* preſented to the Houſe, according to Order, a Bill To explain and amend an Act, entitled *An Act*[1] *for further enlarging the Town of* Dumfries, *in the County of* Prince William; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* of *James Clarke*, ſetting forth that the laſt Year he enliſted (under recruiting Inſtructions from his Honour the Governour) upwards of 40 Men, to each of whom he advanced the £10 Bounty allowed by Law; that two of the ſaid Recruits were refuſed, and five others deſerted, for whom the Paymaſter refuſed to reimburſe him the ſaid Bounty Money; and praying the Conſideration of this Houſe therein, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to Mr *Attorney* and Mr *LeGrand;* that they examine into the Allegations thereof, and report the ſame, with their Opinions thereon, to the Houſe.

Mr *Pendleton*, from the Committee to whom the Bill To dock the Entail of certain Lands whereof *John Weſt*, Gentleman, is ſeized, and veſt them in Truſtees, to be ſold, and for laying out the Money in the Purchaſe of Slaves, to be ſettled to the ſame Uſes, was committed, reported that the Committee had examined into the Allegations thereof, and found them to be true, but had made no Amendments thereto, and he delivered the ſaid Bill in at the Table.

Ordered

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[1] Hening, VII, p. 424.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To empower the Common Hall of the City of *Williamſburg* to aſſeſs ſuch Taxes, from Time to Time, on the Inhabitants thereof, as ſhall be ſufficient to anſwer all Charges and Expenſes for publick Buildings and other Conveniencies; and it is referred to Mr *Attorney* to prepare and bring in the ſame.

On a *Motion* made,

Ordered, That Mr *Jacob Wray* be added to the Commiſſioners, named in *Saturday's* Reſolution from the Committee of Privileges and Elections, for taking Depoſitions relative to Mr *James Wallace's* Petition, complaining of an undue Election and Return of Mr *William Wager* to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Elizabeth City*.

The *Order* of the Day being read, 18

The Houſe again reſolved itſelf into a Committee on the Bill For appointing a Treaſurer; and after ſome Time ſpent therein Mr *Speaker* reſumed the Chair and Mr *Charles Carter* reported that the Committee had had the ſaid Bill under their further Conſideration, and gone through the ſame, and had made an Amendment thereto, which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill, with the Amendment engroſſed and read a third Time.

A *Meſſage* from the Governour by Mr *Walthoe*.

Mr *Speaker*,

The Governour has commanded me to deliver to your Houſe an Addreſs from the Officers of the Virginia *Regiment, relative to their Memorial preſented to the laſt Aſſembly in* May 1760*; alſo the Letters that his Honour has received this Fall from his Excellency General Sir* Jeffrey Amherſt; *together with two Letters from Colonel* Stephen, *enclоſing a Talk of ſome of the Headmen of the* Cherokee *Indians, which came to Hand Yeſterday.*

Ordered, That the ſaid Letters lie on the Table, for the Peruſal of the Members of this Houſe.

And then the Houſe adjourned until Tomorrow Morning, Eleven o'Clock.

Tuesday, the 10th of November, 2 Geo. III. 1761.

A *Bill* For regulating the Fees and Charges of Perſons practiſing in Phyſick, Surgery and Midwifery, in this Colony, was read a ſecond Time, and committed to Mr *Landon Carter*, Mr *Richard Lee*, Mr *Richard Henry Lee* and Mr *Walker*.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To enhance and more effectually to ſecure the Credit of the Paper Currency of this Colony; and it is referred to Mr *Richard Henry Lee* and Mr *Wythe* to prepare and bring in the ſame.

A *Claim* of *John Camp*, Executor of *George Camp*, deceaſed, for Proviſions furniſhed by the Teſtator for ſundry tributary *Indians*, was preſented to the Houſe and received, and referred to the Conſideration of the next Seſſion of Aſſembly.

Mr *Attorney*, from the Committee of Privileges and Elections, reported that the Committee had had under their Conſideration the Returns of ſeveral Writs for electing Burgeſſes to ſerve in this preſent General Aſſembly, and had agreed on a Report and come to ſeveral Reſolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follows:

It appears to your *Committee*, by the Return of the Sheriff of *Norfolk*, that he could not proceed to the Election of Burgeſſes for the ſaid County on the Day appointed for that Purpoſe, being obſtructed therein by the very heavy Rains which fell about that Time, which carried away many Bridges over the Runs and Swamps in the ſaid County,

And

and thereby prevented the Inhabitants thereof from attending at the Time and Place appointed for the ſaid Election.

Reſolved, That an Addreſs be made to the Governour to order a new Writ to iſſue for the electing Burgeſſes to ſerve in this preſent General Aſſembly for the ſaid County of *Norfolk*.

19 *Reſolved*, That the Returns of the ſeveral Writs for electing Burgeſſes for the Counties of *Albemarle*, *Amelia*, *Auguſta*, *Amherſt*, *Accomack*, *Bedford*, *Buckingham*, *Cheſterfield*, *Cumberland*, *Culpeper*, *Caroline*, *Charles City*, *Dinwiddie*, *Eſſex*, *Fairfax*, *Fauquier*, *Frederick*, *Glouceſter*, *Goochland*, *Hanover*, *Hampſhire*, *Halifax*, *Henrico*, *Iſle* of *Wight*, *James City*, *King William*, *King* and *Queen*, *Louiſa*, *Lancaſter*, *Lunenburg*, *Middleſex*, *New Kent*, *Nanſemond*, *Northumberland*, *Northampton*, *Prince George*, *Prince William*, *Prince Edward*, *Richmond*, *Stafford*, *Southampton*, *Surry*, *Spotſylvania*, *Suſſex*, and *York*, and the Returns of the Writs for electing Burgeſſes for *James-Town* and the Borough of *Norfolk*, and the Return of the Writ for electing a Citizen for the City of *Williamſburg*, are made in the Form preſcribed by Law.

Reſolved, That the Returns of the ſeveral Writs for electing Burgeſſes for the Counties of *Brunſwick*, *Elizabeth City*, *King George*, *Loudoun*, *Orange*, *Princeſs Anne*, *Warwick* and *Weſtmoreland*, and the Return of the Writ for electing a Burgeſs for the College of *William* and *Mary*, are not made in the Form preſcribed by Law.

Ordered, That the Returns of the ſeveral Writs mentioned in the laſt Reſolution be amended by the Clerk at the Table.

A *Bill* To dock the Entail of certain Lands whereof *Mann Page*, Eſq; is ſeized, and for ſettling other Lands and Slaves of greater Value to the ſame Uſes; was read a ſecond Time, and committed to Mr *Attorney*, Mr *Syme*, Mr *Grymes*, Mr *Upſhaw*, and the Members for *King William*.

Mr *Attorney* preſented to the Houſe, according to Order, a Bill To empower the Common Hall of the City of *Williamſburg* to aſſeſs ſuch Taxes, from Time to Time, on the Inhabitants thereof, as ſhall be ſufficient to anſwer all Charges and Expenſes for publick Buildings and other Conveniencies; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

The ſeveral *Letters* Yeſterday laid before the Houſe, by Command of his Honour the Governour, were read.

An ingroſſed *Bill*, entitled *An Act*[1] *for further continuing the Regiment in the Service of this Colony*, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Charles Carter* do carry up the ſaid Bill to the Council for their Concurrence.

A *Claim* of *John Caldwell*, for ſix Days Hire of his Wagon and Horſes, employed in the Service of the Publick, was preſented to the Houſe and received.

Ordered, That the ſaid Claim be referred to Mr *LeGrand* and Mr *Tabb*; that they examine into the Juſtice thereof, and report the ſame, with their Opinions thereon, to the Houſe.

And then the Houſe adjourned until Tomorrow Morning Eleven o'Clock.

Wednesday, the 11th of November. 2 Geo. III. 1761.

A *Claim* of *Levin Powell*, Aſſignee of *William Atterbury*, for taking up a Runaway therein mentioned, was preſented to the Houſe and received, and referred to the Conſideration of the next Seſſion of Aſſembly.

A *Bill* To veſt certain Lands therein mentioned in *Bernard Moore*, Eſq; in Fee Simple, and for laying out the Value thereof in Slaves, to be ſettled to the ſame Uſes, was read a ſecond Time, and committed to Mr *Richard Henry Lee*, Mr *Adam* and Mr *Armiſtead*.

Mr

[1] Hening, VII, p. 463.

Mr *Richard Henry Lee*, from the Committee appointed, preſented to the Houſe, 20
according to Order, a Bill To enhance, and more effectually to ſecure, the Credit of the Paper Currency of this Colony; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Landon Carter*, from the Committee to whom the Bill For regulating the Fees and Charges of Perſons practiſing in Phyſick, Surgery and Midwifery, in this Colony, was committed, reported that the Committee had made ſeveral Amendments thereto, which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to by the Houſe.

Ordered, That the Bill with the Amendments be engroſſed, and read a third Time.

A *Bill* To dock the Entail of certain Lands whereof *Robert Carter*, Eſq; is ſeized, and to ſettle other Lands of greater Value to the ſame Uſes, was read a ſecond Time, and committed to Mr *Wythe* and the Members of *Weſtmoreland*, *Loudoun*, *Fauquier* and *Prince William*.

Mr *Attorney*, from the Committee of Privileges and Elections, reported that the Committee had had under their Conſideration the Petition of Mr *Henry Peyton* to them referred, complaining of an undue Election and Return of Mr *John Baylis* and Mr *Henry Lee* to ſerve as Burgeſſes in this preſent General Aſſembly for the County of *Prince William*, and had come to two Reſolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follows:

Reſolved, That the ſaid Petition be examined into before the Committee of the next Seſſion of Aſſembly, and that the Petitioner do ſome Time before the next Seſſion of Aſſembly give to the ſitting Members a Liſt in Writing of the Names of the Voters he intends to except to, diſtinguiſhing againſt each Name the ſeveral Heads of Exception, and that the ſitting Member do the like to the Petitioner.

Reſolved, That the further Conſideration of the ſaid Petition be referred to the next Seſſion of Aſſembly.

Mr *Attorney* alſo reported that the Committee to whom the Petition of *James Clark* was referred had examined into the Allegations thereof, and found them to be true, and had come to two Reſolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That the ſaid *James Clark* ought to be allowed for *John Blunt* and *Joſeph Owen*, two of the Recruits in the ſaid Petition mentioned, who were refuſed, the Sum of £10 each, being the Bounty advanced by him to them, and the further Sum of 30s. each, being the Money allowed by Law for ſubſiſting them to the Place of Rendezvous.

Reſolved, That the ſaid *James Clark* ought to apply to his Honour the Governour for the Bounty Money and Expenſes he was at in recruiting the five other Soldiers in the ſaid Petition mentioned, who deſerted before they arrived at the Place of Rendezvous.

Ordered, That Mr *Hutchings* wait on his Honour the Governour with the Addreſs of this Houſe, to deſire he will order a new Writ to iſſue for the electing of Burgeſſes to ſerve in this preſent General Aſſembly for the County of *Norfolk*, purſuant to the Reſolution of the Committee of Privileges and Elections, agreed to by the Houſe Yeſterday.

A *Petition* of *James Galt*, Keeper of the publick Gaol, praying that the uſual Salary for the Maintenance of Criminals committed to the ſaid Gaol, which will expire at the 21
End of this Seſſion of Aſſembly, may be continued, was preſented to the Houſe and read.

Reſolved, That the additional Sum of £15 be paid to the ſaid *James Galt* every Year, over and above his uſual Salary of £25.

Reſolved, That 10 lb. of Tobacco per Day be allowed the ſaid *James Galt* for every Criminal committed to the ſaid Gaol, during ſuch Criminal's Impriſonment, from this Time to the End of the next Seſſion of Aſſembly.

Mr *LeGrand* reported that the Committee to whom the Claim of *John Caldwell* was referred had examined into the ſame, and found it to be juſt, and had come to a Reſolu-

tion

tion thereon, which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe, as follows:

Reſolved, That the ſaid *John Caldwell* ought to be allowed the Sum of £3. 18s. for the Service of his Team, to be paid by the Publick.

A *Memorial* of the Officers of the *Virginia* Regiment, to the ſame Purport as that preſented to the Houſe at a Seſſion of Aſſembly the 7th of *March*, 1760, and praying the Conſideration of the Houſe therein, and that a Proviſion may be made for their Support when the Regiment ſhall be diſbanded.

Alſo a *Memorial* of Mr *William Peachey*, ſetting forth that he entered into the Service of this Colony as an Officer in the Regiment in *September* 1755, and continued in the Service until *February* 1760, during which Time, and eſpecially for the two laſt Years, he ſpent a great Deal more Money than the whole Amount of his Pay, which was not ſufficient to ſupport him in the Rank of the Commiſſion he bore, and praying the Conſideration of the Houſe therein, were ſeverally preſented to the Houſe and read.

Ordered, That the ſaid Memorials be referred to the Conſideration of the next Seſſion of Aſſembly.

An engroſſed *Bill*, entitled, *An Act*[1] *to dock the Entail of certain Lands whereof* John Weſt *Gentleman, is ſeized, and veſt them in Truſtees, to be ſold, and for laying out the Money in the Purchaſe of Slaves, to be ſettled to the ſame Uſes*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the Bill do paſs.

Ordered, That Mr *Richard Henry Lee* do carry up the ſaid Bills to the Council for their Concurrence.

Ordered, That Mr *Tabb* be added to the Committee to whom the Bill To veſt certain Lands therein mentioned in *Philip Whitehead Claiborne*, Gentleman, in Fee Simple, and for ſettling other Lands and Slaves in Lieu thereof, is committed.

A *Bill* For eſtabliſhing the Towns of *Staunton*, in the County of *Auguſta*, and *New London*, in the County of *Bedford*, and *Straſburg*, in the County of *Frederick*, was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

An engroſſed *Bill*, entitled, *An Act*[2] *to empower the Veſtry of the Pariſh of* Hanover, *in the County of* King George, *to ſell their preſent Glebe Lands, and to lay out the Money in the Purchaſe of a more convenient Glebe*, was read the third Time.

Reſolved, That the Bill do paſs.

Ordered, That Mr *Charles Carter* carry up the ſaid Bill to the Council for their Concurrence.

A *Bill* To empower the Common Hall of the City of *Williamſburg* to aſſeſs ſuch Taxes, from Time to Time, on the Inhabitants thereof, as ſhall be ſufficient to anſwer all Charges and Expenſes for publick Buildings and other Conveniences.

22 *Alſo* a *Bill* To explain and amend an Act for further enlarging the Town of *Dumfries*, in the County of *Prince William*, were ſeverally read a ſecond Time.

Ordered, That the ſaid Bills be engroſſed, and read a third Time.

And then the Houſe adjourned until Tomorrow Morning, Eleven o'Clock.

Thurſday, the 12th of November, 2 Geo. III. 1761.

MR *Wilſon* reported that the Committee to whom the Claim of *Robert Brackendridge*, late a Captain of a Company of Militia of the County of *Auguſta*, ordered out in actual Service, in behalf of himſelf and the Officers and private Men of the ſaid Company, was referred, had examined into the ſame, and come to a Reſolution thereon, which he read in his Place and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe, as follows:

Reſolved

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[1] Hening, VII, p. 488.

[2] *Ibid.*, VII, p. 471

Reſolved, That the Sum of £251-18*ſ*. is due to the ſaid Company of Militia, at the Rate allowed by Law, for the Time they continued in actual Service, which ought to be paid by the Publick.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Bill, *entitled*, An Act[1] for further continuing the Regiment in the Service of this Colony.

Alſo to the Bill, *entitled*, An Act[2] to empower the Veſtry of the Pariſh of *Hanover*, in the County of *King George*, to ſell their preſent Glebe Lands, and lay out the Money in the Purchaſe of a more convenient Glebe.

Alſo to the Bill, *entitled*, An Act[3] to dock the Entail of certain Lands whereof *John Weſt*, Gentleman, is ſeized, and veſt them in Truſtees, to be ſold, and for laying out the Money in the Purchaſe of Slaves, to be ſettled to the ſame Uſes.

Alſo to the ſeveral Reſolves of this Houſe for paying *Joſeph Royle*, Printer, a Salary of £ 350 *per Annum*.

And for paying Meſſ. *John Chiſwell* and *Thomas Walker* the Sum of £ 150 each, for the Services therein-mentioned.

An engroſſed *Bill*, entitled, *An Act*[4] *to empower the Common Hall of the City of* Williamſburg *to aſſeſs ſuch Taxes, from Time to Time, on the Inhabitants thereof, as ſhall be ſufficient to anſwer all Charges and Expenſes for publick Buildings and other Conveniencies*, was read a third Time.

Reſolved, That the Bill do paſs.

Ordered, That Mr *Attorney* do carry up the ſaid Bill to the Council for their Concurrence.

Mr *Wythe* reported that the Committee to whom the Bill To veſt certain Lands therein mentioned in *Philip Whitehead Claiborne*, Gentleman, in Fee Simple, and for ſettling other Lands and Slaves in Lieu thereof, was committed, had examined into the Allegations thereof, and found them to be true, and he delivered the ſaid Bill in at the Table; and an Amendment being propoſed to the ſaid Bill, and agreed to.

Ordered, That the ſaid Bill, with the Amendment, be engroſſed, and read a third Time.

Mr *Henry Lee* reported that the Committee to whom the Petition of *Michael Lynn* 23
was referred had examined into the Allegations thereof, and found them to be true, and had come to a Reſolution thereon, which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to, as follows:

Reſolved, That the ſaid *Michael Lynn* ought to be allowed the Sum of £ 15, to be paid by the Publick, as a full Satiſfaction for the Wounds he received in an Engagement with the *Indians* on the South Branch of *Potomack*, in the Year 1756, and for the Expenſe he was at in curing the ſame.

Mr *Attorney* reported that the Committee to whom the Bill To dock the Entail of certain Lands whereof *Mann Page*, Eſq; is ſeized, and for ſettling other Lands and Slaves of greater Value to the ſame Uſes, was committed, had examined into the Allegations thereof, and found them to be true, and he delivered the Bill in at the Table.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

An engroſſed *Bill*, entitled, *An Act*[5] *to explain and amend an Act, entitled, An Act for further enlarging the Town of* Dumfries, *in the County of* Prince William, was read the third Time.

Reſolved, That the Bill do paſs.

Ordered, That Mr *Landon Carter* do carry up the ſaid Bill to the Council for their Concurrence.

A *Claim* of *Richard Oglefby*, for taking up a Slave therein mentioned, was preſented to the Houſe and received, and referred to the Conſideration of the next Seſſion of Aſſembly.

The

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[1] Hening, VII, p. 463.
[2] *Ibid.*, VII, p. 471.
[3] *Ibid.*, VII, p. 488.
[4] *Ibid.*, VII, p. 469.
[5] *Ibid.*, VII, p. 472.

The Houſe being informed that *Howſon Hooe*, Gentleman, Sheriff, and *Levin Powell*, Sub Sheriff, of the County of *Prince William*, did in the Execution of their *Office*, at the late Election of Burgeſſes for the ſaid County, behave in moſt Inſtances of their Conduct throughout the whole Election illegally and unjuſtly, contrary to the Truſt repoſed in them, and acted with the greateſt Partiality in taking the Poll:

Ordered, That the ſaid Information be referred to the Conſideration of the Committee of Privileges and Elections; that they examine into the Matter thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Bill* To enhance, and more effectually to ſecure, the Credit of the Paper Currency of this Colony, was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

An engroſſed *Bill*, entitled, *An Act*[1] *for eſtabliſhing the Towns of* Staunton, *in the County of* Auguſta, *and* New London, *in the County of* Bedford, *and* Straſburg, *in the County of* Frederick, was read the third Time, and the Blanks therein filled up.

Reſolved, That the Bill do paſs.

Ordered, That Mr *Attorney* do carry up the ſaid Bill to the Council for their Concurrence.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Bill, *entitled*, An Act[2] to empower the Common Hall of the City of *Williamſburg* to aſſeſs ſuch Taxes, from Time to Time, on the Inhabitants thereof, as ſhall be ſufficient to anſwer all Charges and Expenſes for publick Buildings and other Conveniences, *with ſome Amendments, to which they deſire the Concurrence of this Houſe.*

And that they have agreed to the Bill, *entitled* An Act[3] to explain and amend an Act, entitled, An Act for further enlarging the Town of *Dumfries*, in the County of *Prince William*, *without any Amendment.*

24 The Houſe immediately proceeded to the Conſideration of the Amendments propoſed by the Council to the Bill above mentioned, and the ſame being read were agreed to.

Ordered, That Mr *Attorney* do go up with a Meſſage to the Council, and acquaint them therewith.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly, and it is referred to Mr *Cary* and Mr *Charles Carter*, Junior, to prepare and bring in the ſame.

An engroſſed *Bill*, entitled, *An Act*[4] *for appointing a Treaſurer*, was read a third Time, and the Blanks therein filled up.

Reſolved, That the Bill do paſs.

Ordered, That Mr *Charles Carter* do carry up the ſaid Bill to the Council for their Concurrence.

And then the Houſe adjourned until Tomorrow Morning, Eleven o'Clock.

Friday, the 13th of November. 2 Geo. III. 1761.

A *Petition* of ſundry Inhabitants of the Pariſh of *Truro*, in the County of *Fairfax*, in oppoſition to a Petition for dividing the ſaid Pariſh, was preſented to the Houſe and read.

Reſolved, That the ſaid Petition be referred to the Conſideration of the next Seſſion of Aſſembly.

Several *Claims* of *John Gladdin* and *Nathaniel Crawley*, for taking up Runaways therein mentioned, were preſented to the Houſe and received, and referred to the Conſideration of the next Seſſion of Aſſembly.

Mr

[1] Hening, VII, p. 473. [2] *Ibid.*, VII, p. 469. [3] *Ibid.*, VII, p. 472. [4] *Ibid.*, VII, p. 466.

Mr *Wythe*, from the Committee to whom the Bill To dock the Entail of certain Lands whereof *Robert Carter*, Eſq; is ſeized, and to ſettle other Lands of greater Value to the ſame Uſes, was committed, reported that the Committee had examined into the Allegations of the ſaid Bill, and found them to be true, and had made ſeveral Amendments thereto, which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to by the Houſe.

Ordered, That the Bill with the Amendments be engroſſed, and read a third Time.

Mr *Richard Henry Lee* reported that the Committee to whom the Bill To veſt certain entailed Lands therein mentioned in *Bernard Moore*, Eſq; in Fee Simple, and for laying out the Value thereof in Slaves, to be ſettled to the ſame Uſes, was committed, had examined into the Allegations of the ſaid Bill, and found them to be true, and he delivered the ſaid Bill in at the Table.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

An engroſſed *Bill*, entitled, *An Act*[1] *to dock the Entail of certain Lands whereof* Mann Page, *Eſq; is ſeized, and for ſettling other Lands and Slaves of greater Value to the ſame Uſes*, was read a third Time.

Reſolved, That the Bill do paſs.

Ordered, That Mr *Charles Carter* do carry up the ſaid Bill to the Council for their Concurrence.

Mr *Cary* preſented to the Houſe, according to Order, a Bill For paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

An engroſſed *Bill*, entitled, *An Act*[2] *to enhance, and more effectually to ſecure, the credit of the Paper Currency of this Colony*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the Bill do paſs. 25

Ordered, That Mr *Richard Henry Lee* do carry up the ſaid Bill to the Council for their Concurrence.

A *Meſſage* from the Governour was delivered by Mr *Walthoe*.

Mr *Speaker*,

The Governour has commanded me to deliver to your Houſe a Letter he had juſt received from the Honourable William Byrd, *Eſq;*

And the ſaid Letter was read, and ordered to lie on the Table.

A *Petition* of *John Broadrib*, eldeſt Son of *Benjamin Broadrib*, deceaſed, to be Doorkeeper to this Houſe, praying that he may be appointed to ſucceed his ſaid Father in that Office, was preſented to the Houſe and read; and thereon

Ordered, That the ſaid *John Broadrib* be appointed a Doorkeeper to this Houſe, and that he give his Attendance accordingly.

An engroſſed *Bill*, entitled, *An Act*[3] *to veſt certain Lands therein mentioned in* Philip Whitehead Claiborne, *Gentleman, in Fee Simple, and for ſettling other Lands and Slaves in Lieu thereof*, was read the third Time.

Reſolved, That the Bill do paſs.

Ordered, That Mr *Wythe* do carry up the ſaid Bill to the Council for their Concurrence.

Ordered, That a Committee be appointed to examine the enrolled Bills of the following Perſons: Mr *Carrington*, Mr *Claiborne*, Mr *Cabel*, and Mr *Henry Lee*.

An engroſſed *Bill*, entitled, *An Act*[4] *to veſt certain entailed Lands therein mentioned in* Bernard Moore, *Eſq; in Fee Simple, and for laying out the Value thereof in Slaves, to be ſettled to the ſame Uſes*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the Bill do paſs.

Ordered, That Mr *Richard Henry Lee* do carry up the ſaid Bill to the Council for their Concurrence.

On a *Motion* made,

Reſolved

[1] Hening, VII, p. 480. [2] *Ibid.*, VII, p. 465. [3] *Ibid.*, VII, p. 486. [4] *Ibid.*, VII, p. 483.

Reſolved, That the ſeveral Sums following be paid to the ſeveral Officers of the General Aſſembly, reſpectively:

To *John Randolph*, Eſq; Clerk of the Houſe of Burgeſſes £90
To *Nathaniel Walthoe*, Eſq; Clerk of the General Aſſembly 40
To the Reverend Mr *Yates*, Chaplain 20
To Mr *George Davenport*, Clerk of the Committee of Privileges and Elections 30
To Mr *Francis Eppes*, Sergeant at Arms 30
To the Doorkeeper of the Council 6
To *John Broadrib* .. } Doorkeepers to the Houſe .. { 6
To *James Lavie* .... } { 6
To *Thomas Francis* } { 6
To *Nathaniel Hix* .. } { 6

Ordered, That the ſaid Reſolve be engroſſed, and that Mr *Richard Henry Lee* do carry it up to the Council for their Concurrence.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Bill, *entitled*, An Act[1] to enhance, and more effectually to ſecure, the Credit of the Paper Currency of this Colony.

Alſo to the Bill, *entitled*, An Act[2] to veſt certain Lands therein mentioned in *Philip Whitehead Claiborne*, Gentleman, in Fee Simple, and for ſettling other Lands and Slaves in Lieu thereof, *without any Amendments*.

26 *And that they have agreed to the* Bill, *entitled*, An Act[3] for eſtabliſhing the Towns of *Staunton*, in the County of *Auguſta*, and *New London*, in the County of *Bedford*, and *Straſburg*, in the County of *Frederick*, *with an Amendment, to which they deſire the Concurrence of this Houſe*.

The Houſe immediately proceeded to the Conſideration of the ſaid Amendment, and the ſame being read was agreed to.

Ordered, That Mr *Attorney* do go up with a Meſſage to the Council, and acquaint them therewith.

An engroſſed *Bill*, entitled, *An Act*[4] *to dock the Entail of certain Lands whereof* Robert Carter, *Eſq; is ſeized, and to ſettle other Lands of greater Value to the ſame Uſes*, was read a third Time.

Reſolved, That the Bill do paſs.

Ordered, That Mr *Wythe* do carry up the ſaid Bill to the Council for their Concurrence.

A *Bill* For paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly was read a ſecond Time, and committed to Mr *Richard Henry Lee* and Mr *Cary*.

And then the Houſe adjourned until Tomorrow Morning, Eleven o'Clock.

Saturday, the 14th day of November. 2 Geo. III. 1761.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Bill, *entitled*, An Act[5] for appointing a Treaſurer.

Alſo to the Bill, *entitled*, An Act[6] to dock the Entail of certain Lands whereof *Mann Page*, Eſq; is ſeized, and for ſettling other Lands and Slaves of greater Value to the ſame Uſes.

Alſo to the Bill, *entitled*, An Act[7] to dock the Entail of certain Lands whereof *Robert Carter*, Eſq; is ſeized, and to ſettle other Lands of greater Value to the ſame Uſes.

Alſo

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[1] Hening, VII, p. 465.
[2] *Ibid.*, VII, p. 486.
[3] *Ibid.*, VII, p. 473.
[4] *Ibid.*, VII, p. 478.
[5] *Ibid.*, VII, p. 466.
[6] *Ibid.*, VII, p. 480.
[7] *Ibid.*, VII, p. 478.

Alſo to the Bill, *entitled*, An Act[1] to veſt certain entailed Lands therein mentioned in *Bernard Moore*, Eſq; in Fee Simple, and for laying out the Value thereof in Slaves, to be ſettled to the ſame Uſes.

Alſo to the Reſolve *For paying the Officers Salaries for this preſent Seſſion of Aſſembly.*

Several *Claims* of *Charles Reeve*, *William Symmonds*, *Joſeph Warwick* and *Samuel Meredith*, for taking up Runaways therein mentioned, were ſeverally preſented to the Houſe and received, and referred to the Conſideration of the next Seſſion of Aſſembly.

Mr *Cary*, from the Committee to whom the Bill For paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly, was committed, reported that the Committee had made ſeveral Amendments thereto, which he read in his Place and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to by the Houſe.

Ordered, That the Bill with the Amendments be engroſſed, and read a third Time.

An engroſſed *Bill*, entitled, *An Act*[2] *for paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly*, was read the third Time.

Reſolved, That the Bill do paſs.

Ordered, That Mr *Cary* do carry up the ſaid Bill to the Council for their Concurrence.

On a *Motion* made, 27

Reſolved, That the Burgeſſes for the County of *Amherſt* be allowed for ſix Days, for *Buckingham* five, and for *Fauquier* four Days, for travelling to and from the General Aſſemblies.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Bill, *entitled*, An Act[3] for paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly.

Mr *Carrington* reported that the Committee appointed had, according to Order, examined the enrolled Bills, and rectified ſuch Miſtakes as were found therein, and they were truly enrolled.

Ordered, That Mr *Carrington* do carry up the enrolled Bills to the Council, for their Inſpection.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have inſpected the enrolled Bills, and are ſatiſfied they are truly enrolled.

A *Meſſage* from the Governour was delivered by Mr *Walthoe*.

Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

The Governour commands your immediate Attendance in the Council Chamber, and that you bring with you ſuch Bills and Reſolves as are ready for his Aſſent.

Mr *Speaker* with the Houſe went up accordingly, and the Governour was pleaſed to give his Aſſent to the following Bills:

1. [4]*An Act for further continuing the Regiment in the Service of this Colony.*
2. [5]*For appointing a Treaſurer.*
3. [6]*To enhance, and more effectually to ſecure, the Credit of the Paper Currency of this Colony.*
4. [7]*For eſtabliſhing the Town of Staunton, in the County of Auguſta; and New London, in the County of Bedford; and Straſburg, in the County of Frederick.*
5. [8]*To empower the Common Hall of the City of Williamſburg to aſſeſs ſuch Taxes, from Time to Time, on the Inhabitants thereof, as ſhall be ſufficient to anſwer all Charges and Expenſes for publick Buildings and other Conveniencies.*

For

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[1] Hening, VII, p. 483.
[2] *Ibid.*, VII, p. 476.
[3] *Ibid.*, VII, p. 476
[4] *Ibid.*, VII, p. 463
[5] *Ibid.*, VII, p. 466.
[6] *Ibid.*, VII, p. 465.
[7] *Ibid.*, VII, p. 473.
[8] *Ibid.*, VII, p. 469.

6. [1]*For paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly.*

7. [2]*To empower the Veſtry of the Pariſh of Hanover, in the County of King George, to ſell their preſent Glebe Lands, and to lay out the Money in the Purchaſe of a more convenient Glebe.*

8. [3]*To dock the Entail of certain Lands whereof Robert Carter, Eſq; is ſeized, and to ſettle other Lands of greater Value to the ſame Uſes.*

9. [4]*To veſt certain entailed Lands therein mentioned in Bernard Moore, Eſq; in Fee-Simple, and for laying out the Value thereof in Slaves, to be ſettled to the ſame Uſes.*

10. [5]*To dock the Entail of certain Lands whereof Mann Page, Eſq; is ſeized, and for ſettling other Lands and Slaves of greater Value to the ſame Uſes.*

11. [6]*To veſt certain Lands therein-mentioned in Philip Whitehead Claiborne, Gentleman, in Fee-Simple, and for ſettling other Lands and Slaves in Lieu thereof.*

12. [7]*To dock the Entail of certain Lands whereof John Weſt, Gentleman, is ſeized, and veſt them in Truſtees, to be ſold, and lay out the Money in the Purchaſe of Slaves, to be ſettled to the ſame Uſes.*

13. [8]*To explain and amend an Act, entitled, An Act for further enlarging the Town of Dumfries, in the County of Prince William.*

The Governour alſo gave his Aſſent to the following Reſolves:

1. *A Reſolve For paying the Officers Salaries for this preſent Seſſion of Aſſembly.*

28 2. *A Reſolve for paying Joſeph Royle, Printer,* a *Salary of £350 per Annum.*

3. *A Reſolve For paying Meſs. John Chiſwell and Thomas Walker the Sum of £150 each, for the Services therein-mentioned.*

And then his Honour was pleaſed to cloſe the Seſſion with the following Speech:

Gentlemen of the Council, Mr Speaker, and Gentlemen of the Houſe of Burgeſſes,

Having given my Aſſent to all the Bills you have prepared for me, I ſhall now diſmiſs you; after giving you my Aſſurance that I will diſpoſe of the Regiment agreeably to the Act now paſſed for that Purpoſe. I ſhall order the Accounts of the Proviſion and Carriage for the Year 1760 to be got ready for Colonel Byrd *to preſent to the General, as he propoſes; and ſhall write to Them both to endeavor to procure the Payment thereof.*

Mr Speaker, and Gentlemen of the Houſe of Burgeſſes,

It is neceſſary for me to explain a Part of my Conduct towards your Houſe, which was the ſending down all the Letters I had received from Sir Jeffery Amherſt *relating to this Campaign, after you had taken the Matter of his laſt Letter into your Conſideration. I did this to obviate a falſe and ſcandalous Rumour, which has too much prevailed without Doors, that I had received a Letter from Sir* Jeffery Amherſt, *in which he had given up our Regiment, as having no more Uſe for it, though I did not think proper to produce the Letter. For Fear this ſhould have any Influence on your Deliberations, and obſtruct your good Intentions to comply with the Deſires of the General, I thought it proper to take this Step. Reports of ſuch a Nature tend to alienate the Minds of his Majeſty's Subjects from him and his Government, and are of a moſt pernicious Conſequence: I therefore hope you will always diſcourage and diſcountenance the Authors and Propagators of ſuch falſe News. And I can with Juſtice appeal to yourſelves whether you have, at any Time, found me backward in communicating any Thing to you which could give you any Inſight into the Buſineſs I recommended to your Conſideration.*

Gentlemen of the Council and of the Houſe of Burgeſſes,

There is Nothing left for me now to do but to prorogue you, and you are accordingly prorogued to Thurſday *the 10th of* December *next.*

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[1] Hening, VII, p. 476.
[2] *Ibid.*, VII, p. 471.
[3] *Ibid.*, VII, p. 478.
[4] *Ibid.*, VII, p. 483.
[5] *Ibid.*, VII, p. 480.
[6] *Ibid.*, VII, p. 486.
[7] *Ibid.*, VII, p. 488.
[8] *Ibid.*, VII, p. 472.

JOURNAL

of the

HOUSE OF BURGESSES

1762

January Seſſion

Burgeſſes.

Accomac	Thomas Parramore
	Southey Simpſon
Albemarle	Thomas Walker
	John Fry
Amelia	David Greenhill
	Thomas Tabb
Amherſt	William Cabell
	Cornelius Thomas
Auguſta	Iſrael Chriſtian
	John Wilſon
Bedford	William Callaway
	John Talbot
Brunſwick	Iſaac Rowe Walton
	William Thornton
Buckingham	Robert Bolling
	Joſeph Cabell
Caroline	*Edmund Pendleton
	John Baylor
Charles City	Benjamin Harriſon
	William Kennon
Cheſterfield	*Archibald Cary
	Richard Eppes
The College	Mann Page
Culpeper	James Barbour
	John Field
Cumberland	*George Carrington
	*John Fleming
Dinwiddie	Robert Bolling
	Leonard Claiborne, Jr.
Elizabeth City	*George Wythe
	*William Wager
Eſſex	John Upſhaw
	John Lee
Fairfax	George Johnſton
	John Weſt
Fauquier	Thomas Marſhall
	Thomas Harriſon
Frederick	George Waſhington
	*George Mercer
Glouceſter	John Page
	Thomas Whiting
Goochland	John Payne
	Joſias Payne
Halifax	Nathaniel Terry
	Robert Wade
Hampſhire	James Keith
	Thomas Rutherford
Hanover	John Syme
	Nathaniel Weſt Danridge
Henrico	Philip Mayo
	Bowler Cocke
Iſle of Wight	James Bridger
	Joſeph Bridger
James City	Lewis Burwell
	Philip Johnſon
Jameſtown	Edward Champion Travis
King & Queen	*John Robinſon
	John Pendleton
King George	Charles Carter
	Charles Carter, Jr.
King William	Bernard Moore
	Carter Braxton
Lancaſter	Charles Carter
	Richard Mitchell
Loudoun	Francis Lightfoot Lee
	James Hamilton
Louiſa	William Johnſon
	Thomas Johnſon
Lunenburg	Clement Reade
	Henry Blagrave
Middleſex	John Smith
	*Ralph Wormeley
Nanſemond	Leonard Riddick
	Willis Riddick
New Kent	Gill Armiſtead
	Richard Adams
Norfolk	William Bradley
	Thomas Veal
Norfolk Borough	Joſeph Hutchings
Northampton	John Harmanſon
	Thomas Dalby
Northumberland	Richard Hull
	Spencer Ball
Orange	James Taylor
	James Walker
Prince Edward	Peter Legrand
	Abner Naſh
Prince George	*Richard Bland
	Richard Bland, Jr.
Prince William	Henry Lee
	John Baylis
Princeſs Anne	Anthony Walke
	Edward Hack Moſeley
Richmond	Landon Carter
	John Woodbridge

*Not ſhown by the Journal to have been preſent during the Aſſembly.

Southampton	Joſeph Gray
	Benjamin S. Symmons
Spotſylvania	Fielding Lewis
	*Benjamin Grymes
Stafford	William Fitzhugh
	Thomas L. Lee
Surry	Hartwell Cocke
	Henry Browne
Suſſex	David Maſon
	John Edmunds
Warwick	*William Digges
	William Harwood
Weſtmoreland	*Richard Henry Lee
	Richard Lee
Williamſburg	*Peyton Randolph
York	Dudley Digges
	Thomas Nelſon, Jr.

*Not ſhown by the Journal to have been preſent during the Aſſembly.

Changes in the Perſonnel, 1762.

January Seſſion.

Henrico	Philip Mayo succeeded William Randolph
King & Queen	John Pendleton ſucceeded George Braxton
Northampton	Richard Hull ſucceeded Preſley Thornton

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JOURNAL

of the

HOUSE OF BURGESSES

Thursday, the 14th of January, 2 Geo. III. 1762.

A *Meſſage* from the Governour was delivered by Mr *Walthoe.*

Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

The Governour commands the immediate Attendance of your Houſe in the Council Chamber.

Accordingly Mr *Speaker*, with the Houſe, went up to attend the Governour.

And being returned, reported that he, with the Houſe, had attended the Governour in the Council Chamber, where his Honour had been pleaſed to make a Speech to the Council and this Houſe, of which he had, to prevent Miſtakes, obtained a Copy; which he read to the Houſe, and afterwards delivered in at the Table, where it was again read, and is as follows:

Gentlemen of the Council, Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

My Duty to his Majeſty, whoſe Servant I am, and my Attention to the Welfare of this Colony, over which I have the Honour to preſide, have jointly conſpired to induce me to call you together at this Time; that I might make you acquainted with the Steps I have taken towards the diſbanding the Regiment, agreeably to the Act of Aſſembly paſſed laſt Seſſion for that Purpoſe, and at the ſame Time communicate to you ſome Letters I have received on that Subject.

On the Riſing of the laſt Seſſion of Aſſembly, I immediately ſent Orders to Colonel Stephen, *the Officer Commandant, to march the Regiment inwards to* Stahlnaker's, *where I thought the Men could be more eaſily and plentifully provided for, than at their Camp at the* Big Iſland, *there to wait for the authentick Account I every Day expected to receive of the Concluſion of the Peace; and on the Receipt of a Letter from Colonel* Stephen, *giving me an Account that* Conocotocho, *or the* Standing Turkey, *the great Warriour of the* Cherokees, *was arrived in his Camp with the Articles of Peace agreed on by Lieutenant-Governour* Bull *and the Chiefs of the* Cherokee *Nation, and had ſent down to me a Belt of Peace of white Wampum; I took the Advice of the Honourable the Council aſſigned me by his*
4 *Majeſty, who agreed with me in Opinion that this was ſufficient Authority for me to act on, though I had not then, nor have yet, received the Confirmation of the Peace from Governour* Bull. *In Conſequence of this Advice, I immediately ſent Orders to Colonel* Stephen *to march the whole Regiment to Fort* Lewis, *where he ſhould meet the Orders to diſband it, according to the Time thoſe Orders went from me; and by the Hardneſs of the Seaſon the Regiment cannot yet have reached that Poſt, ſo that not a Day has been yet loſt, or the Colony put to any Expenſe which could be ſaved.*

Sir Jeffery Amherſt, *in a Letter I have received from him on the Subject of our Regiment, has fully convinced me that I ſhould not do my Duty to his Majeſty, in promoting*

to

to the utmoſt of my Power his Service, recommended to me by his Commander in Chief in theſe Parts, if I ſhould not refer it to your Conſideration before I took on me to diſband the Regiment. His Reaſons why that Meaſure ſhould not be haſtily entered on carry ſuch a Degree of Weight and Solidity with them as deſerve your moſt ſerious Attention; which I hope, and make no Doubt, but you will give them.

The Letters and Papers which can give you any Information on this Matter I ſhall now lay before you.

Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

In the providing for the Continuation of any Expenſe you may judge neceſſary for the Security of the Colony, and the Honour of his Majeſty, I can only point out to you that Care and Tenderneſs for the People which you have hitherto always ſhown, in an exemplary Manner, on ſimilar Occaſions.

Gentlemen of the Council and of the Houſe of Burgeſſes,

I have Nothing more to recommend to you at preſent; and that you may proceed with Deſpatch, I ſhall very willingly diſpenſe with any Forms, which regard myſelf only, that may detain you from immediately entering on the Buſineſs now referred to you, and for the Conſideration of which you are now called together to meet in this General Aſſembly.

Mr *Speaker* alſo reported that the Governour had delivered to him the ſeveral Letters from Sir *Jeffery Amherſt* and Colonel *Stephen* mentioned in his Speech, alſo a general State of Mr *Abercrombie's* Account with this Colony to be laid before the Houſe; and the ſaid Letters were read, and ordered to lie on the Table.

Reſolved, That this Houſe will take the Governour's Speech into Conſideraton Tomorrow.

Ordered, That the Reverend Mr *William Yates* be continued Chaplain to this Houſe, and that he attend to read Prayers every Morning at Ten o'Clock.

Ordered, That the ſeveral Doorkeepers be continued in their reſpective Offices, and that they give their Attendance accordingly.

A *Petition* of ſundry Inhabitants of the upper Part of the County of *King* and *Queen*, praying that the ſaid County may be divided, and Part thereof added to the County of *Caroline*, by certain Lines therein particularly expreſſed, was preſented to the Houſe and read, and referred to the Conſideration of the next Seſſion of Aſſembly.

And then the Houſe adjourned until Tomorrow Morning Eleven o'Clock

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Friday, the 15th of January, 2 Geo. III. 1762.

TWO *Members* returned on new Writs, having taken the Oaths appointed by Act of Parliament to be taken inſtead of the Oaths of Allegiance and Supremacy, and taken and ſubſcribed the Oaths of Abjuration, and alſo ſubſcribed the Teſt, were admitted to their Places in the Houſe.

Several *Claims* of *Humphrey Burdett*, *Martin Vaughan*, *John Miller*, Junior, *Joſias Plunket*, *Thomas Smith*, *Ambroſe Bullard*, *Samuel Allen*, *Thomas Loyd*, *Charles Burton* and *Jeſſe Burton*, for taking up Runaways therein mentioned, were ſeverally preſented to the Houſe and received, and referred to the Conſideration of the next Seſſion of Aſſembly.

The *Order* of the Day being read, for the Houſe to reſolve itſelf into a Committee on the Governour's Speech.

Ordered, That the ſeveral Letters Yeſterday laid before the Houſe, and ordered to lie on the Table, be referred to the Conſideration of the ſaid Committee.

Then the Houſe reſolved itſelf into the ſaid Committee; and after ſome Time ſpent therein, Mr *Attorney* reported that the Committee had had the ſaid Speech and Letters

Letters under their Conſideration, and gone through the ſame, and had come to a Reſolution thereon, which he read in his Place, and then delivered in at the Table, where the ſame was again twice read, and agreed to by the Houſe, as follows:

Reſolved, That the Act paſſed the laſt Seſſion of Aſſembly, entitled, *An Act*[1] *for further continuing the Regiment in the Service of this Colony*, ought to be amended.

Ordered, That a Bill or Bills be brought in, purſuant to the ſaid Reſolution; and it is referred to Mr *Richard Henry Lee*, Mr *Bland*, Mr *Fleming* and Mr *Pendleton*, to prepare and bring in the ſame.

A *Petition* of *James Galt*, Keeper of the publick Gaol, praying that his uſual Allowance for maintaining the Priſoners committed to the ſaid Gaol, which will expire at the End of this Seſſion of Aſſembly, may be further continued, was preſented to the Houſe and read, and thereon

Reſolved, That the additional Sum of £ 15 be paid to the ſaid *James Galt* every Year, over and above his uſual Salary of £ 25.

Reſolved, That 10 lb. of Tobacco per Day be allowed to the ſaid *James Galt* for every Criminal committed to the ſaid Gaol, during ſuch Criminal's Impriſonment, from this Time to the End of the next Seſſion of Aſſembly.

A *Petition* of *Richard Johnſton*, praying to be reimburſed by the Publick for the Bounty-Money and Expenſes by him paid for enliſting and conveying to the Place of Rendezvous three Men by him recruited for the Frontier Battalion, who were refuſed by the Commanding Officer, amounting in the Whole to £ 37. 15 *s.* was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to Mr *Pendleton*, Mr *Grymes* and Mr *Mercer;* that they examine into the Allegations thereof, and report the ſame, with their Opinions thereon, to the Houſe.

And then the Houſe adjourned until Tomorrow Morning, Eleven o'Clock.

Saturday, the 16th of January, 2 Geo. III. 1762.

A *Claim* of *William Keeling*, Sheriff of *Princeſs Anne* County, for tranſporting a Runaway Slave from the County acroſs the Bay to *Northampton* County.

Alſo ſeveral *Claims* of *Almorene Bryan* and *Conſtantine Rock*, for taking up Runaways therein mentioned.

Alſo a *Claim* of *John Vance*, for a Mare and Bridle, valued at £ 11. 5. 0 impreſſed into his Majeſty's Service by Order of Colonel *Byrd*, and which were never returned him; were ſeverally preſented to the Houſe and received, and referred to the Conſideration of the next Seſſion of Aſſembly.

Mr *Richard Henry Lee*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill To amend an Act entitled, *An Act*[2] *for further continuing the Regiment in the Service of this Colony;* and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Pendleton* reported that the Committee to whom the Petition of *Richard Johnſton* was referred had, according to Order, examined into the Allegations thereof, and had agreed on a Report, and come to a Reſolution thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

It appears to your *Committee* that the ſaid *Richard Johnſton* recruited the three Men in his Petition named, and paid them the Bounty Money of £ 10 each, and marched and ſubſiſted them to the Place of Rendezvous, for which he has received no Satiffaction, as the ſaid three Men were refuſed by Major *Lewis;* that the ſaid three Men were able-bodied young Men, and as fit for the Service as many others that were received by Colonel *Byrd*, after being refuſed by Major *Lewis*.

Reſolved

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[1] Hening, VII, p. 463.

[2] *Ibid.*, VII, p. 463.

Reſolved, That the ſaid *Richard Johnſton* ought to be allowed by the Publick the Sum of £ 37. 15. 0 for the Bounty paid the ſaid three Men, the Trouble and Expenſe of enliſting them, and their Subſiſtence to the Place of Rendezvous.

A *Petition* of *William Jenkins*, ſetting forth that he has been employed in the Service of the Publick as an Expreſs from the Begininng of the War to this Time, and has diſcharged his Duty therein with his utmoſt Care and Fidelity; that in the Courſe of that Time he has loſt a great Number of Horſes of conſiderable Value, and although he was by Agreement (when he firſt engaged in that Service) to furniſh his own Horſes, yet he hopes the Houſe will make him ſome Allowance for his Loſſes, eſpecially as he was often ſent to Places far remote from *Winchester*, which was to be his furtheſt Stage out; and praying alſo ſome Proviſion for his future Support and Maintenance, being now old and infirm, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to Mr *Richard Henry Lee* and Mr *Attorney;* that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

On a *Motion* made,

The *Bill* To amend an Act, entitled, *An Act*[1] *for further continuing the Regiment in the Service of this Colony*, was read a ſecond Time; and the Queſtion being put, that the ſaid Bill be engroſſed and read a third Time,

It paſſed in the Negative.

Reſolved, That the ſaid Bill be rejected.

A *Petition* of ſundry Inhabitants of the County of *Eſſex*, praying that an Act may 7
paſs for eſtabliſhing a Town on the Land of one *Thomas Ley*, near *Layton's* Warehouſe, in the ſaid County, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the next Seſſion of Aſſembly.

On a *Motion* made,

Reſolved, That an humble Addreſs be preſented to his Honour the Governour, to return him the Thanks of this Houſe for his affectionate Speech at the Opening of this Seſſion; to expreſs the grateful Senſe we have of his conſtant Attention to the Welfare of this Colony, and in particular for the active Care he has taken towards having the Regiment diſbanded when he ſhould receive authentick Intelligence of a Peace being concluded with the *Cherokee* Indians, agreeable to the Intention of the Act of Aſſembly; but at the ſame Time humbly to give it as our Opinion that the Regiment ſhould not be diſbanded, until he ſhall receive a Notification of ſuch Peace from the Governour of *South Carolina*, which we do not doubt but he will endeavour to procure by the moſt ſpeedy and effectual Method.

Ordered, That an Addreſs be drawn up purſuant to the ſaid Reſolution; and it is referred to Mr *Bland*, Mr *Richard Henry Lee* and Mr *Pendleton*, to prepare and bring in the ſame.

On a *Motion* made,

The Houſe proceeded to the Conſideration of the Memorial of the Officers of the *Virginia* Regiment, which was preſented to the Houſe the 7th Day of *March*, 1760, and has been referred over by the ſeveral Seſſions of Aſſembly ſince that Time to the Conſideration of this Seſſion; and the ſame being read,

Reſolved, That the ſaid Memoral be referred to the Conſideration of a Committee of the whole Houſe.

Reſolved, That this Houſe will reſolve itſelf into a Committee on the ſaid Memorial on *Monday* next.

On a *Motion* made,

Ordered, That all ſuch Claims and Propoſitions as were referred from the laſt Seſſion of Aſſembly, and alſo all ſuch Claims and Propoſitions as ſhall be certified to this Seſſion of Aſſembly, be referred to the Conſideration of the next Seſſion of Aſſembly; and further, that all Depoſitions of Witneſſes taken or to be taken, in Purſuance of ſeveral Orders

[1] Hening, VII, p. 463.

Orders of the Houſe at the laſt Seſſion, concerning any controverted Election, and which were returnable to this Seſſion, be returned to the next Seſſion of Aſſembly.

On a *Motion* made,

Ordered, That Mr *David Wilſon Curle* be added to the Commiſſioners appointed to take Depoſitions of Witneſſes on the Petition of Mr *James Wallace*, complaining of an undue Election and Return of Mr *William Wager* to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Elizabeth-City*.

On a *Motion* made,

Ordered, That a Bill or Bills be brought in, to revive the ſeveral Acts of Aſſembly of this Colony, For preventing Mutiny and Deſertion; and it is referred to Mr *Cary* and Mr *Pendleton* to prepare and bring in the ſame.

The Houſe proceeded to the Conſideration of Mr *Abercrombie's* Account againſt this Colony, which was laid before the Houſe by the Governour's Command on *Thurſday*
8 laſt; and the ſeveral Articles thereof being read, it was thereon

Reſolved, That it be an Inſtruction to the Committee appointed to correſpond with the Agent for this Colony in *Great Britain*, to deſire him to ſettle the ſaid Account with Mr *Abercrombie*, and to allow him only One and a Half *per Cent.* for his Commiſſions on the Receival and Diſburſement of the Money he received at the Exchequer for the Uſe of this Colony, and to diſallow the Article mentioned in the ſaid Account, as ſo much retained by him for Expenſes of having his two Accounts paſſed at the different Offices, and for obtaining a Quietus.

And then the Houſe adjourned until Monday Morning, Eleven o'Clock.

Monday, the 18th of January, 2 Geo. III. 1762.

A *Claim* of *Daniel Coleman*, for taking up a Runaway therein mentioned, was preſented to the Houſe and received, and referred to the Conſideration of the next Seſſion of Aſſembly.

Mr *Bland* reported that the Committee appointed had, according to Order, prepared an Addreſs to the Governour, purſuant to the Reſolution of the Houſe on *Saturday* laſt; which he read in his Place, and then delivered in at the Table, where the ſame was again twice read, and with an Amendment agreed to, and is as follows:

Sir.

We his Majeſty's dutiful and loyal Subjects, the Burgeſſes of Virginia, *now met in General Aſſembly, return your Honour our Thanks for your affectionate Speech at the Opening of this Seſſion.*

The Experience we have had of your conſtant and vigilant Attention to the Welfare of this Colony, ſo eminently diſtinguiſhing your Adminiſtration, demands from us the moſt ſincere Returns of Duty and Gratitude; and the Meaſures you have taken towards diſbanding the Regiment, agreeably to the laſt Act of Aſſembly, by which the Colony will be relieved from the great Expenſe of ſupporting a military Force, are only freſh Inſtances that the Happineſs and true Intereſt of the People are the governing Motives of your Conduct.

At the ſame Time that we make theſe Acknowledgments, permit us, Sir, humbly to lay before you our Opinion that although the Neceſſity of keeping up the Regiment will not ſubſiſt longer than the Ratification of the Peace with the Cherokee *Indians is certainly known, yet it ought not to be diſbanded until you ſhall receive a Notification that ſuch Peace is fully confirmed; which, we doubt not, you will endeavour to procure by the moſt ſpeedy and effectual Methods.*

Ordered, That the ſaid Addreſs with the Amendment be fairly tranſcribed, and preſented by the Committee who prepared the ſame.

Mr *Richard Henry Lee* reported that the Committee to whom the Petition of *William Jenkins* was referred had, according to Order, examined into the Allegations thereof, and

and agreed on a Report and come to a Reſolution thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

It appears to your *Committee* that the ſaid *William Jenkins* has been engaged in the Service of the Publick, as an Expreſs, from the Beginning of the War to this Time; and has, during that Time, been often charged with large Sums of the publick Money, which he had faithfully delivered, and in every Inſtance diſcharged his Duty with Care and Fidelity.

It alſo appears to your *Committee*, by the Oath of the ſaid *William Jenkins*, that in the Courſe of his ſaid Service he has loſt 11 Horſes and Mares, valued in the Whole to £ 77. 14 *s.*

Reſolved, That the ſaid *William Jenkins* ought to be allowed ſome Compenſation for his ſaid Loſſes, and for his Fidelity in the Execution of his Office.

On a *Motion* made,

Reſolved, That the Sum of £100 be paid by the Publick to the ſaid *William Jenkins*, as a Compenſation for his Loſſes and Services in the ſaid Report mentioned.

Ordered, That the ſaid Reſolve be engroſſed, and that Mr *Richard Henry Lee* carry it up to the Council for their Concurrence.

Mr *Cary*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill For reviving and further continuing the ſeveral Acts of Aſſembly of this Colony for preventing Mutiny and Deſertion, and for other Purpoſes therein mentioned; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

The *Order* of the Day being read,

The Houſe reſolved itſelf into a Committee, to conſider of the Memorial of the Officers of the *Virginia* Regiment; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair and Mr *Attorney* reported that the Committee had had the ſaid Memorial under their Conſideration, but not having Time to go through the ſame they had directed him to move for Leave to ſit again.

Reſolved, That this Houſe will again reſolve itſelf into a Committee on the ſaid Memorial Tomorrow.

And then the Houſe adjourned until Tomorrow Morning, Eleven o'Clock.

Tuesday, the 19th of January, 2 Geo. III. 1762.

A *Bill* For reviving and further continuing the ſeveral Acts of Aſſembly of this Colony for preventing Mutiny and Deſertion, and for other Purpoſes therein-mentioned, was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Claim* of *Zachariah Taylor*, for taking up a Runaway therein mentioned, was preſented to the Houſe and received, and referred to the Conſideration of the next Seſſion of Aſſembly.

A *Petition* of *Joſeph Royle*, praying that his Salary as Printer to this Houſe which will expire at the End of this Seſſion of Aſſembly, may be continued, was preſented to the Houſe and read, and thereon

Reſolved, That the Sum of £ 350 *per Annum* be allowed to the ſaid *Joſeph Royle*, Printer, to continue to the End of the next Seſſion of Aſſembly, as a full Conſideration for printing the Journals of the Houſe of Burgeſſes, printing the Laws of each Seſſion and ſending thirteen of them to every County Court Clerk, one of which to be half bound for the Uſe of the Court, printing Inſpectors Notes and Books, Proclamations, and other publick Advertiſements.

Ordered, That the ſaid Reſolve be engroſſed, and that Mr *Attorney* do carry it up to the Council for their Concurrence.

The *Order* of the Day being read,

The Houſe again reſolved itſelf into a Committee on the Memorial of the Officers of the *Virginia* Regiment; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair

10 Chair, and Mr *Attorney* reported that the Committee had had the ſaid Memorial under their further Conſideration, and had come to two Reſolutions thereon, which he read in his Place, and then delivered in at the Table, where the ſame were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That ſome Recompenſe ſhould be made to the Officers of the *Virginia* Regiment for their Bravery, and the Hardſhips they have undergone in the Service of the Publick.

Reſolved, That on diſbanding the ſaid Regiment each commiſſioned Officer ſhall receive a Sum equal to one Year's Pay.

Ordered, That a Bill or Bills be brought in purſuant to the ſaid Reſolutions, and it is referred to Mr *Attorney*, Mr *Pendleton*, Mr *Richard Henry Lee*, Mr *Wormeley* and Mr *Bland*, to prepare and bring in the ſame.

Ordered, That it be an Inſtruction to the ſaid Committee to receive a Clauſe or Clauſes for appropriating ſo much Money now remaining in the Hands of the Treaſurer, or that may hereafter come into the Treaſury, ariſing from Bills of Exchange drawn or to be drawn in Purſuance of the Act for appointing Perſons to receive the Money granted or to be granted by the Parliament of *Great Britain* to his Majeſty for the Uſe of this Colony, as will be ſufficient to anſwer the Purpoſes mentioned in the ſaid Reſolutions.

An engroſſed, *Bill* entitled, *An Act*[1] *for reviving and further continuing the ſeveral Acts of Aſſembly of this Colony for preventing Mutiny and Deſertion*, was read a third Time.

Reſolved, That the Bill do paſs.

Ordered, That Mr *Cary* do carry up the ſaid Bill to the Council for their Concurrence.

Mr *Bland* reported that the Committee appointed had, according to Order, waited on the Governour with the Addreſs of this Houſe, to which his Honour was pleaſed to ſay he would return an Anſwer Tomorrow.

Mr *Attorney*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill For giving a Recompenſe to the Officers of the *Virginia* Regiment; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly, and it is referred to Mr *Pendleton* to prepare and bring in the ſame.

On a *Motion* made,

The *Bill* For giving a Recompenſe to the Officers of the *Virginia* Regiment was read a ſecond Time, and committed to Mr *Wythe* and Mr *Richard Henry Lee*.

A *Petition* of *Thomas Baillie*, ſetting forth that in the Year 1759, he being then a Soldier of the *Virginia* Regiment, was taken Priſoner by a Party of *Indians*, amongſt whom he remained a Captive near two Years, and at Length made his Eſcape; and praying to be allowed his Pay, as well before as after his being taken, and ſome Recompenſe for the Hardſhips he endured during his Captivity, was preſented to the Houſe and read.

Ordered, That the ſaid Petition lie on the Table.

And then the Houſe adjourned until Tomorrow Morning, Eleven o'Clock.

Wednesday, the 20th of January, 2 Geo. III. 1762.

11 MR *Attorney* informed the Houſe that the Governour had deſired him to lay before them an Account of Lieutenant *William Woodford's*, for conducting a Party of *Cherokee* Indians to this City, amounting to £25. 1. 6, and he delivered the ſame in at the Table; where, being read, it was

Reſolved, That the Treaſurer of this Colony be directed to pay the ſame to the ſaid *William Woodford*.

On a *Motion* made,

Reſolved

[1] Hening, VII, p. 491.

Reſolved, That a Sum, not exceeding £ 200, be paid by the Treaſurer of this Colony into the Hands of his Honour the Governour, to be laid out in Preſents for the *Cherokee* Indians, if his Honour ſhall think proper to make them any.

Mr *Wythe* reported that the Committee to whom the Bill For giving a Recompenſe to the Officers of the *Virginia* Regiment, was committed, had made an Amendment thereto, which he read in his Place, and then delivered the Bill with the Amendment in at the Table, where the Amendment was again twice read, and agreed to.

Ordered, That the Bill with the Amendment be engroſſed, and read a third Time.

A *Meſſage* from the Council by Mr *Walthoe*,

That they have agreed to the Bill, *entitled*, An Act[1] for reviving and further continuing the ſeveral Acts of Aſſembly of this Colony for preventing Mutiny and Deſertion, and for other Purpoſes therein mentioned, *with an Amendment, to which they deſire the Concurrence of this Houſe.*

The Houſe immediately proceeded to the Conſideration of the ſaid Amendment, and the ſame being read was diſagreed to.

Ordered, That Mr *Cary* go up with a Meſſage to the Council, and acquaint them that this Houſe cannot agree to the Amendment by them propoſed to the ſaid Bill, and deſire they will paſs the Bill without the ſaid Amendment.

On a *Motion* made,

Reſolved, That the ſeveral Sums following be paid to the ſeveral Officers of the General Aſſembly, reſpectively:

To *John Randolph*, Eſq; Clerk of the Houſe of Burgeſſes,..... £ 50
To *Nathaniel Walthoe*, Eſq; Clerk of the General Aſſembly,..... 25
To the Reverend Mr *Yates*, Chaplain,..... 15
To Mr *Francis Eppes*, Sergeant at Arms,..... 20
To Mr *George Davenport*, for his Services this Seſſion,..... 10
To the Doorkeeper of the Council,..... 5
To *James Lavie*,.... } Doorkeepers to the Houſe. { 5
To *Thomas Francis*, { 5
To *Nathaniel Hix*,.. { 5
To *John Broadrib*,.. { 5
To Mrs. *Galt*, for cleaning the Houſe of Burgeſſes,..... 5

Ordered, That the ſaid Reſolve be engroſſed, and that Mr *Richard Henry Lee* do carry it up to the Council for their Concurrence.

A *Meſſage* from the Governour was delivered by Mr *Walthoe*.

That his Honour had commanded him to deliver to the Houſe his Anſwer in Writing to their Addreſs.

And the ſame was read, and is as follows: 12

Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

I return you my hearty Thanks for your kind Addreſs, and you may rely on my taking the moſt ſpeedy Methods of procuring authentick Intelligence of the Ratification of the Peace ſuppoſed to be made with the Cherokee *Indians; and as I am extremely deſirous of anſwering the Expectations of your Houſe, in every Inſtance which does not interfere with my Duty to his Majeſty, it would have been very agreeable to me if you had explained yourſelves more fully as to what Information you ſhould think ſatiſfactory and full to the Point on which I might diſband the Regiment.*

Mr *Pendleton*, preſented to the Houſe, according to Order, a Bill For paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly; and the ſame was read the firſt Time, and ordered to be read a ſecond Time; and

On a *Motion* made,

The ſaid *Bill* was accordingly read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

An

[1] Hening, VII, p. 491.

An engroſſed *Bill*, entitled, *An Act*[1] *for giving a Recompenſe to the Officers of the* Virginia *Regiment*, was read a third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[2] *for paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the Bill do paſs.

Ordered, That Mr *Pendleton* do carry up the ſaid Bill to the Council for their Concurrence.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Bill, *entitled*, An Act[3] for giving a Recompenſe to the Officers of the *Virginia* Regiment.

Alſo to the Bill, *entitled*, An Act[4] for paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly.

Alſo to the Reſolve *of this Houſe for paying the Officers Salaries for this preſent Seſſion of Aſſembly.*

Alſo to the Reſolve *for paying* William Jenkins *the Sum of* £ 100, *for the Services therein mentioned.*

Alſo to the Reſolve *for continuing the Printer's Salary.*

And that they inſiſt on the Amendment by them propoſed, and diſagreed to by this Houſe, to the Bill, *entitled*, An Act[5] for reviving and further continuing the ſeveral Acts of Aſſembly of this Colony for preventing Mutiny and Deſertion, and for other Purpoſes therein mentioned.

The Houſe proceeded to take into Conſideration the Amendment inſiſted on by the Council to the Bill, entitled, *An Act*[6] *for reviving and further continuing the ſeveral Acts of Aſſembly of this Colony for preventing Mutiny and Deſertion, and for other purpoſes therein-mentioned;* and the ſame was read, and again diſagreed to.

Reſolved, That this Houſe do inſiſt on their Diſagreement to the ſaid Amendment.

Ordered, That Mr *Cary* do go up with a Meſſage to the Council and acquaint them therewith, and that this Houſe deſire they will paſs the Bill without the ſaid Amendment.

13 *Ordered*, That the Petition of *Thomas Baillie*, Yeſterday preſented to the Houſe, and ordered to lie on the Table, be referred to Mr *Mercer* and Mr *Richard Henry Lee;* that they examine into the Allegations thereof, and report the ſame, with their Opinions thereon, to the Houſe.

A *Meſſage* from the Council by Mr *Walthoe*,

That they adhere to their Amendment diſagreed to by this Houſe to the Bill, *entitled*, An Act[7] for reviving and further continuing the ſeveral Acts of Aſſembly of this Colony for preventing Mutiny and Deſertion, and for other Purpoſes therein mentioned.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For preventing Mutiny and Deſertion, and other Purpoſes, and it is referred to Mr *Attorney* to prepare and bring in the ſame.

Mr *Attorney* accordingly preſented the ſaid Bill; and the ſame was read the firſt time, and ordered to be read a ſecond Time immediately.

The ſaid *Bill* was accordingly read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

And the ſaid *Bill* was immediately engroſſed, and read a third Time.

Reſolved, That the Bill do paſs.

Ordered, That Mr *Attorney* do carry up the ſaid Bill to the Council for their Concurrence.

And then the Houſe adjourned until Tomorrow Morning, Eleven o'Clock.

Thurſday

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[1] Hening, VII, p. 492.
[2] *Ibid.*, VII, p. 493.
[3] *Ibid.*, VII, p. 492.
[4] *Ibid.*, VII, p. 493.
[5] *Ibid.*, VII, p. 491.
[6] *Ibid.*, VII, p. 502.
[7] *Ibid.*, VII, p. 491.

Thurſday, the 21ſt of January, 2 Geo. III. 1762.

A *Meſſage* from the Council by Mr *Walthoe*,

That they have agreed to the Bill, *entitled*, An Act[1] for preventing Mutiny and Deſertion, and other Purpoſes.

Ordered, That a Committee be appointed to examine the enrolled Bills of the following Gentlemen: Mr *William Digges*, Mr *Carrington* and Mr *Fleming*.

Mr *Mercer* reported that the Committee to whom the Petition of *Thomas Baillie* was referred had examined into the Allegations thereof, and found them to be true, and had come to a Reſolution thereon, which he read in his Place, and then delivered in at the Table, where the ſame was again twice read, and agreed to by the Houſe, as follows:

Reſolved, That the ſaid *Thomas Baillie* ought to be allowed the Arrears of Pay due to him to the Time of his being taken and carried into Captivity by the *Indians*, to be paid by the Paymaſter of the *Virginia* Regiment, and that he ought alſo to be allowed the Sum of £ 35, as a full Compenſation for the Hardſhips he endured during his Confinement amongſt the *Indians*, and the Reſidue of his Pay.

Mr *William Digges* reported that the Committee appointed had, according to Order, examined the enrolled Bills and rectified ſuch Miſtakes as were found therein, and that they were truly enrolled.

Ordered, That Mr *Digges* do carry up the enrolled Bills to the Council for their Inſpection.

A *Meſſage* from the Council by Mr *Walthoe*,

That they have inſpected the enrolled Bills, and are ſatiſfied they are truly enrolled.

A *Meſſage* from the Governour was delivered by Mr *Walthoe*, 14

Mr *Speaker and Gentlemen of the Houſe of Burgeſſes*,

The Governour commands the immediate Attendance of your Houſe in the Council Chamber, and that you bring with you ſuch Bills and Reſolves as are ready for his Aſſent.

Mr *Speaker* with the Houſe went up accordingly, and the Governour was pleaſed to give his Aſſent to the following Bills:

1. *An Act*[2] *for preventing Mutiny and Deſertion, and other Purpoſes.*
2. [3]*For giving a Recompenſe to the Officers of the Virginia Regiment.*
3. [4]*For paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly.*

Alſo to the following Reſolves:

For paying the Salaries of the Officers of the General Aſſembly.

For continuing the Printer's Salary.

And for paying William Jenkins the Sum of £ 100, for the Services therein mentioned.

And then his Honour was pleaſed to prorogue the Aſſembly to the 2d Tueſday in April next.

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[1] Hening, VII, p. 502. [2] *Ibid.*, VII, p. 502. [3] *Ibid.*, VII, p. 492. [4] *Ibid.*, VII, p. 493.

JOURNAL

of the

HOUSE OF BURGESSES

1762

March Seſſion

Burgeſſes.

Accomac	Thomas Parramore
	Southey Simpſon
Albemarle	*Thomas Walker
	*John Fry
Amelia	David Greenhill
	Thomas Tabb
Amherſt	*William Cabell
	Cornelius Thomas
Auguſta	Iſrael Chriſtian
	John Wilſon
Bedford	William Callaway
	John Talbot
Brunſwick	Iſaac Rowe Walton
	William Thornton
Buckingham	Robert Bolling
	*Joſeph Cabell
Caroline	*Edmund Pendleton
	John Baylor
Charles City	Benjamin Harriſon
	William Kennon
Cheſterfield	*Archibald Cary
	Richard Eppes
The College	Mann Page
Culpeper	James Barbour
	John Field
Cumberland	*George Carrington
	*John Fleming
Dinwiddie	Robert Bolling
	*Leonard Claiborne, Jr.
Elizabeth City	George Wythe
	William Wager
Eſſex	John Upſhaw
	John Lee
Fairfax	*George Johnſton
	John Weſt
Fauquier	Thomas Marſhall
	Thomas Harriſon
Frederick	George Waſhington
	*George Mercer
Glouceſter	John Page
	Thomas Whiting
Goochland	John Payne
	Joſias Payne
Halifax	Nathaniel Terry
	Robert Wade
Hampſhire	James Keith
	Thomas Rutherford
Hanover	John Syme
	Nathaniel Weſt Dandridge
Henrico	Philip Mayo
	*Bowler Cocke
Iſle of Wight	*James Bridger
	Joſeph Bridger
James City	Lewis Burwell
	Philip Johnſon
Jameſtown	Edward Champion Travis
King & Queen	*John Pendleton
	*John Robinſon
King George	*Charles Carter
	Charles Carter, Jr.
King William	Bernard Moore
	Carter Braxton
Lancaſter	*Charles Carter
	Richard Mitchell
Loudoun	Francis Lightfoot Lee
	James Hamilton
Louiſa	William Johnſon
	Thomas Johnſon
Lunenburg	Clement Reade
	Henry Blagrave
Middleſex	John Smith
	Ralph Wormeley
Nanſemond	*Lemuel Riddick
	*Willis Riddick
New Kent	Gill Armiſtead
	Richard Adams
Norfolk	*William Bradley
	Thomas Veal
Norfolk Borough	Joſeph Hutchings
Northampton	John Harmanſon
	Thomas Dalby
Northumberland	Richard Hull
	Spencer Ball
Orange	James Taylor
	James Walker
Prince Edward	Peter Legrand
	Abner Naſh
Prince George	*Richard Bland
	Richard Bland, Jr.
Prince William	*Henry Lee
	John Baylis
Princeſs Anne	Anthony Walke
	Edward Hack Moſeley

*Not ſhown by the Journal to have been preſent during the Aſſembly.

Richmond	*Landon Carter
	John Woodbridge
Southampton	*Joſeph Gray
	Benjamin Symmons
Spotſylvania	Fielding Lewis
	Benjamin Grymes
Stafford	William Fitzhugh
	Thomas L. Lee
Surry	*Hartwell Cocke
	Henry Browne
Suſſex	David Maſon
	John Edmunds
Warwick	*William Digges
	William Harwood
Weſtmoreland	Richard Henry Lee
	Richard Lee
Williamſburg	*Peyton Randolph
York	Dudley Digges
	Thomas Nelson, Jr.

*Not ſhown by the Journal to have been preſent during the Aſſembly.

3

JOURNAL

of the

HOUSE OF BURGESSES

Tuesday, the 30th of March, 2 Geo. III. 1762.

A *Meſſage* from the Governour was delivered by Mr *Walthoe.*

Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

The Governor commands the immediate Attendance of your Houſe in the Council Chamber.

Accordingly Mr *Speaker*, with the Houſe, went up to attend the Governour.

And being returned, reported that the Houſe had attended the Governour in the Council Chamber, and that he was pleaſed to make a Speech to the Council and this Houſe, of which he had, to prevent Miſtakes, obtained a Copy; which he read to the Houſe, and afterwards delivered it in at the Table, where it was again twice read, and is as follows:

Gentlemen of the Council, Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

The great Regard I pay to every Act of General-Aſſembly, and the earneſt Deſire I had of eaſing this Colony from the Expenſes neceſſarily attending a State of War (as ſoon as I thought it could be done with ſecurity) made me take the firſt Opportunity of diſbanding the Regiment. This Opportunity was afforded me by a Letter I received from his Excellency Thomas Boone, *Eſq; lately appointed by his Majeſty to the Government of* South Carolina, *to adviſe me of his having taken the Adminiſtration of the Affairs of that Province into his Hands, and of his having found the Peace with the* Cherokee *Indians ratified when he arrived in the Colony. Without waiting for the return of my Meſſenger, ſent into* Carolina *for this very Purpoſe, I immediately ſent up Orders and Money to pay the Men, according to the Senſe of the laſt Act paſſed for the Proviſion of them; though I muſt at the ſame time confeſs, that I moſt ardently wiſhed to have been able to have kept the Regiment on Foot, until his Majeſty's Pleaſure was made known to me, as to what Aſſiſtance he ſhould require from his Colonies to proſecute the War with Vigour for the enſuing Campaign. This Requiſition is now come; and I ſhall immediately lay before you for your Deliberation the Letters I have received from the Earl of* Egremont, *one of his Majeſty's principal Secretaries of State, making this Requiſition; and from Major-General Sir* Jeffery Amherſt, *enforcing it. This is the Buſineſs on which I have called you together; and I moſt earneſtly*
4 *hope that you will not ſuffer my Attention to the Intereſt of this Colony, and my Eagerneſs to take that Burthen from off your Shoulders, of the Weight of which you have ſo long complained, to become a Cauſe of impeding or obſtructing his Majeſty's Service at this Criſis. I too well know that the Expenſes of War are grievous, and burthenſome; but ſuch is the preſent Condition of Mankind, that this unhappy State muſt on ſome Occaſions be entered into, to procure future Safety and Security, by an honourable and laſting Peace. All this I ſhall refer to your Conſideration; with only adding, that I have the ſtrongeſt Reaſons to aſſure you, Gentlemen, that his Majeſty's Service requires I ſhould be particularly urgent with you on the preſent Occaſion.*

Over

Over and above the Troops required from you to be kept in the Pay of the Colony, his Majeſty has directed me to demand a certain Quota of Men to be raiſed by this Colony, to be incorporated into the Regiments on the Britiſh *Eſtabliſhment now in* America, *in Order to recruit and fully complete the ſame. The number demanded from you, the Terms on which they are to be enliſted, and the Encouragement they will receive, are fully explained to you in a Letter from his Majeſty's Commander in Chief, which will now be laid before you. His Majeſty has this Meaſure ſo much at Heart, as abſolutely neceſſary to put his Forces on a reſpectable Footing, and enable them to act on the Offenſive, and has recommended it by his Secretary of State in ſo forcible Terms, that, convinced as I am of your ſteady Zeal, Loyalty and Attachment, to his royal Perſon and Government, it would be the higheſt Preſumption in me to attempt to add weight thereto, by any Arguments of my own: And I cannot doubt but that you will exert yourſelves to the utmoſt, and ſo approve yourſelves thoſe faithful and loyal Subjects the beſt of Monarchs expects to find you.*

An artful Man might perhaps have witholden this laſt Requiſition until you have complied with, or refuſed, the former; but Artifices of this Kind have never made any Part in my Plan of Government: I know to whom I am now applying; I know that Sincerity, Openneſs and Candour, will obtain that from you which you would deny to Cunning and Contrivance; ſuch is the Conduct which I have always obſerved to you, and which I have always found returned to me in the moſt ample, grateful and ſatiſfactory Manner.

Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

I can never recommend to you the granting Supplies without reflecting on the large Sums this Colony has already granted, and feeling for the People whenever I have Occaſion to make any Demands on them, however neceſſary they may be; but I hope the Example of our Mother-Country, annually raiſing many Millions to ſupport a War at firſt entered into, and now proſecuted, for the Defence and future Security of her Colonies, will influence you to tread in her Steps as far as your Ability will give you Leave. Let us for a Moment reflect what would have been the State of this Colony if she had pleaded Poverty and Inability. I have this Satiſfaction left me that I am ſure, from paſt Experience, you will provide for what Expenſes you ſhall judge neceſſary and expedient on the eaſieſt Terms.

Gentlemen of the Council and of the Houſe of Burgeſſes,

In order to protect the Trade of this Colony, I have the Pleaſure to inform you that William Manwaring, *Eſq; Commander of his Majeſty's Ship* Arundel, *is ſtationed on this Coaſt, to defend it from the Inſults and Attacks of any Enemy whatſoever.*

Nothing now remains for me to ſay but to recommend to you Activity, Unanimity and Deſpatch, which I do with great Fervency and Sincerity; for, whether we conſider the advancing Seaſon of the Year, the doubtful Situation Sir Jeffery Amherſt *muſt be in, from which he would be glad to be relieved, or whether we conſider the approaching Buſineſs of the General Court, all Reaſons concur, both publick and private, general and particular, to render Expedition neceſſary.*

The Declaration of War againſt Spain, *which has been brought into this Colony by the Commander of one of his Majeſty's Sloops of War, and was ſent to me Yeſterday in the Evening, will explain to you my Motives for preſſing you to comply with all that his Majeſty requires from you, on which Subject I could not ſpeak plain until ſome ſuch document authorized me ſo to do.*

Reſolved, That an humble Addreſs be preſented to his Honour, to return him the Thanks of this Houſe for his affectionate Speech at the Opening of this Seſſion; to acknowledge that we are particularly obliged to him for the Sincerity, Openneſs and Candour, with which on this, as on every other Occaſion, he has treated us; to repreſent to him that we are truly ſenſible that it is our Duty to exert ourſelves at this critical Conjuncture, and that we will give all the Deſpatch to the ſeveral Matters recommended to us that the Importance of them will admit of.

Ordered

Ordered, That a Committee be appointed to draw up an Addreſs to the Governour, purſuant to the ſaid Reſolution; and it is referred to Mr *Attorney* and Mr *Bland* to prepare and bring in the ſame.

Mr *Speaker* informed the Houſe that the Governour had delivered to him ſeveral Letters from the Earl of *Egremont*, one of his Majeſty's principal Secretaries of State, Major General Sir *Jeffery Amherſt*, *Thomas Boone*, Eſq; Governour of *South Carolina*, and one from Colonel Bouquett, and deſired him to lay them before the Houſe.

And the ſaid *Letters* were read, and ordered to lie on the Table.

Reſolved, That this Houſe will take the *Governour's* Speech into Conſideration Tomorrow.

Ordered, That the Reverend Mr *William Yates* be continued Chaplain to this Houſe, and that he attend to read Prayers every Morning at Ten o'Clock.

Ordered, That *James Lavie*, *Thomas Francis*, *Nathaniel Hicks* and *John Broadrib*, be continued in their reſpective Offices of Doorkeepers to this Houſe, and that they give their Attendance accordingly.

On a *Motion* made,

It was *ordered* that all ſuch Claims and Propoſitions as were referred from the laſt to this Seſſion of Aſſembly, and alſo all ſuch Claims and Propoſitions as ſhall be certified to this Seſſion of Aſſembly, be referred to the Conſideration of the next Seſſion of Aſſembly.

And then the Houſe adjourned until Tomorrow Morning Eleven o'Clock.

Wednesday, the 31st of March, 2 Geo. III. 1762.

MR *Attorney* reported that the Committee appointed had, according to Order, prepared an Addreſs to the Governour; which he read in his Place, and afterwards delivered in at the Table, where the ſame was again twice read, and agreed to by the Houſe, and is as follows:

Sir,

We his Majeſty's moſt dutiful and loyal Subjects, the Burgeſſes of Virginia, *return your Honour our ſincere Thanks for your kind Speech at the Opening of this Seſſion: At*
6 *the ſame Time we are more particularly obliged to you for the Sincerity, Openneſs and Candour, with which, on every Occaſion, you have treated us; and ſuch a Conduct, you may be aſſured, will always meet with a due Return of Gratitude and Affection.*

The quiet Enjoyment of our Liberties, which we had a fair Proſpect of having ſecured to us, by an honourable and laſting Peace, is again obſcured by the Perfidy, Folly and Chicane, of the Crowns of France *and* Spain. *We are truly ſenſible that this Event makes it neceſſary to exert ourſelves in Support of the common Cauſe, leſt a War begun for the Preſervation of his Majeſty's Colonies may prove fatal to them: You may therefore, Sir, depend that you ſhall find our Conduct, on this important Criſis, ſuch as you might expect from Subjects the moſt loyal, and moſt warmly attached to the Perſon and Government of his Majeſty.*

We ſhall immediately take the ſeveral Matters recommended to us under our Conſideration, and proceed with all the Deſpatch the Importance of them will admit of.

Ordered, That the ſaid Addreſs be fairly tranſcribed, and preſented by the whole Houſe.

Ordered, That the Committee who prepared the ſame wait on the Governour, to know his Pleaſure when they ſhall attend his Honour to preſent it.

A *Petition* of ſundry Inhabitants of the Pariſh of *Dryſdale*, in the Counties of *Caroline* and *King* and *Queen*, ſetting forth that their preſent Glebe is ſituated below their lower Church, and at leaſt 30 Miles from the upper End of the Pariſh, which makes it very

very inconvenient, and in bad Weather impoſſible for the Miniſter to attend the upper Church and other parochial Duties; and praying that an Act may paſs to empower the Veſtry of the ſaid Pariſh to ſell the ſaid Glebe Land, and purchaſe one more convenient in Lieu thereof, was preſented to the Houſe and read.

Ordered, That Leave be given to bring in a Bill purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Pendleton* to prepare and bring in the ſame.

On a *Motion* made,

Ordered, That it be an Inſtruction to the Committee to whom it is referred to bring in a Bill purſuant to the Prayer of the above Petition that they receive a Clauſe or Clauſes to empower the Veſtry of the Pariſh of *St. Stephen*, in the County of *King* and *Queen*, to ſell their preſent Glebe, and to purchaſe one more convenient.

A *Petition* of ſundry Inhabitants of the County of *Prince William*, praying that the Court Day of the County may be altered to the firſt *Monday* in every Month, was preſented to the Houſe and read.

Ordered, That a Bill or Bills be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Henry Lee* to prepare and bring in the ſame.

The *Order* of the Day being read, for the Houſe to take into their Conſideration the Governours Speech.

Reſolved, That the Houſe will reſolve itſelf into a Committee on the ſaid Speech.

Ordered, That the ſeveral Letters laid before the Houſe by Deſire of his Honour the Governour Yeſterday, be referred to the Conſideration of the ſaid Committee.

And then the Houſe reſolved itſelf into a Committee on the ſaid Speech and letters; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Charles Carter* reported that the Committee had had the ſame under their Conſideration, and had come to ſeveral Reſolutions thereon, which they had directed him to report to the Houſe; and he read the ſame in his Place, and then delivered them in at the Table, where they were again twice read, and agreed to by the Houſe, with ſome Amendments, as follow: 7

Reſolved, That 1000 Men be raiſed, and kept in the Pay of this Colony.

Reſolved, That 268 Men be recruited, at the expenſe of this Colony, to be joined to his Majeſty's Forces under the Command of Major General Sir *Jeffery Amherſt*.

Reſolved, That a Sum, not exceeding £30,000, be raiſed for defraying the Expenſe of buying, paying and clothing, the 1000 Men, and the recruiting the 268 Men.

On a *Motion* made,

The Houſe reſolved itſelf into a Committee to conſider of Ways and Means for raiſing the Sum of £30,000 agreeable to the above Reſolution; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Charles Carter* reported that the Committee had come to a Reſolution thereon, which they had directed him to report to the Houſe; and he read the ſame in his Place, and then delivered it in at the Table, where it was again twice read, and agreed to by the Houſe, as follows:

Reſolved, That the Sum of £30,000 be raiſed by a Tax of one Shilling on every tithable Perſon in this Colony, to be paid in the Years 1764, 1765, 1766, 1767, 1768, and 1769.

Ordered, That a Bill or Bills be brought in, purſuant to the aforeſaid Reſolutions; and it is referred to Mr *Charles Carter*, Mr *Attorney*, Mr *Bland*, Mr *Pendleton* and Mr *Lemuel Riddick*, to prepare and bring in the ſame.

A *Petition* of the Churchwardens, and ſundry Inhabitants, of the Pariſh of *Amherſt*, in the County of *Amherſt*, ſetting forth that by an Act made in the firſt Year of his Preſent Majeſty's Reign, entitled, *An Act for dividing the counties of* Albemarle *and* Louiſa, *and Pariſh of* St. Anne, *and for other purpoſes therein mentioned*, the Churchwardens of the ſaid Pariſh of *St. Anne* were empowered to ſell and convey the Glebe-Land of the ſaid Pariſh, with the Improvements thereon, for a valuable Conſideration, and the Money ariſing thereby to be diſpoſed of in ſuch Manner, and to ſuch Uſes, as by the ſaid Act is directed: That the ſaid Churchwardens of the ſaid Pariſh of *St. Anne* have pretended to

ſell

ſell the Glebe; but not giving due notice of ſuch Sale, few Perſons attended thereat, and the Churchwardens by that Means became the Purchaſers for the Uſe of the ſaid Pariſh for £231–10s. current Money, which is not more than Half the Value of the ſaid Lands, whereby the Proportion to be received by the ſaid Pariſh of *Amherſt* is greatly leſſened; and praying that an Act may paſs to ſet aſide the ſaid pretended Sale, was preſented to the Houſe, and read.

Ordered, That a Bill or Bills be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Cabbel*, Mr *Walker* and Mr *Carrington*, to prepare and bring in the ſame.

And then the Houſe adjourned until Tomorrow Morning Eleven o'Clock.

Thurſday, the 1ſt of April, 2 Geo. III. 1762.

MR *Pendleton*, from the Committee appointed, preſented to the Houſe according to Order, a Bill To empower the Veſtries of the Pariſhes of *Dryſdale*, in the Counties of *Caroline* and *King* and *Queen*, and of *St. Stephen*, 8 in the County of *King* and *Queen*, to ſell their preſent Glebe, and to lay out the Money in purchaſing more convenient Glebes; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

On a *Motion* made,

Ordered, That it be an Inſtruction to the Committee to whom it was referred to bring in a Bill For granting an Aid to his Majeſty, and for other Purpoſes therein mentioned, to receive a Clauſe or Clauſes for emitting Treaſury Notes for the Sum of £30,000, and to empower the Treaſurer to apply all ſuch Sums as he ſhall receive, which have been or may hereafter be granted by the Parliament of *Great Britain* to this Colony, and the Monies due from the Crown for Proviſions towards the Redemption of the ſaid Notes.

A *Petition* of *William Seward*, ſetting forth that he is ſeized in Fee Taille of 1780 Acres of Land in the Pariſh of *Southwark*, in the County of *Surry*, under the Will of one *Robert Canfield;* that the greater Part of the ſaid Land is poor and yields him but ſmall Profit, and is inconveniently ſituated, being divided by a Creek which runs almoſt through the ſame; that it will be greatly to his Advantage, and that of his Poſterity, if he was empowered to diſpoſe of 1530 Acres, Part of the ſaid Tract, and lay out the Money ariſing from ſuch Sale in the Purchaſe of ſome other more valuable Lands and Slaves, to be annexed thereto, and ſettled to the ſame Uſes; and praying that an Act may paſs for that purpoſe, was preſented to the Houſe and read.

Ordered, That a Bill or Bills be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Riddick* to prepare and bring in the ſame.

Mr *Charles Carter*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill for granting an Aid to his Majeſty, and for other Purpoſes therein mentioned; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Henry Lee* preſented to the Houſe, according to Order, a Bill for altering the Court Day of the County of *Prince-William;* and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

A *Claim* of————*Rogers*, for taking up a Runaway therein mentioned, was preſented to the Houſe and received.

Ordered, That the ſaid Claim be referred to the Conſideration of the next Seſſion of Aſſembly.

Mr *Cabbell* preſented to the Houſe, according to Order, a Bill to declare void the pretended Sale of the Glebe Land of the Pariſh of *St. Anne*, in the County of *Albemarle*, and directing a new Sale thereof, which was read the firſt Time, and the Queſtion being put that the ſaid Bill be read a ſecond Time,

It paſſed in the Negative.

Reſolved, That the ſaid Bill be rejected.

A *Petition* of *John Cole*, a Sergeant in the *Virginia* Regiment, praying ſome Satiſfaction for a Horſe preſſed into the Service by Captain *Bullet*, appraiſed to £15, and afterwards taken by the Enemy, and alſo for Services done as a Tailor to ſeveral Soldiers in the ſaid Regiment, was received and read.

Ordered, That the ſaid Petition be referred to Mr *Mercer* and Mr *Pendleton*, that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Mr *Attorney* reported that the Committee appointed had, according to Order, waited on the Governour to know his Pleaſure when the Houſe ſhould attend him with their Addreſs; and that he was pleaſed to appoint this Day, and to ſay he would ſend a Meſſage to the Houſe when he was ready to receive it.

A *Petition* of *Thomas Gift*, ſetting forth that he hath been a Lieutenant in the *Virginia* Regiment ſix Years, during which Time he hath always behaved himſelf well; that in 1758, in Colonel *Grant's* Engagement with the *Wyondotes* he was wounded in his right Hand, which has rendered it almoſt uſeleſs; that he was afterwards taken Priſoner by the ſaid *Indians*, and detained by them in Captivity one Year; and praying the Conſideration of this Houſe, was preſented to the Houſe and read. 9

Ordered, That the ſaid Petition be referred to Mr *Pendleton* and Mr *Cary;* that they do examine into the Allegations thereof, and report the ſame, with their Opinions thereon, to the Houſe.

Several *Claims* of *Thomas Toombs* and *William Hicks*, for taking up Runaways therein mentioned, were ſeverally preſented to the Houſe and received.

Ordered, That the ſaid Claims be referred to the Conſideration of the next Seſſion of Aſſembly.

A *Meſſage* from the Governour was delivered by Mr *Walthoe*.

Mr *Speaker*,

I am commanded by the Governour to acquaint this Houſe that his Honour is now ready to receive their Addreſs in the Council Chamber.

Mr *Speaker*, with the Houſe, went up; and being returned, reported that he had, with the Houſe, attended the Governour in the Council Chamber, and preſented the Addreſs of this Houſe to him, to which he was pleaſed to anſwer.

Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes*,

I receive the higheſt Pleaſure from the Marks of Zeal for the Service of his Majeſty, and of Loyalty and Attachment to his Perſon and Government, teſtified in your affectionate Addreſs, for which I return you my ſincere Thanks; and I have the greateſt Reliance that your Conduct, on this important Criſis, will anſwer the Expectations you have raiſed in the Breaſts of the warmeſt Friends of his Majeſty and the Miniſtry.

Sincerity and Candour are the ſtrongeſt Cement of Friendſhip and Affection, which I truſt will never be broke through on either Side; It ſhall be my conſtant Endeavour to preſerve it on mine, as the Returns I meet with from them ſo amply repay me.

A *Bill* for granting an Aid to his Majeſty, and for other Purpoſes therein mentioned, was read the ſecond Time, and ordered to be committed to a Committee of the whole Houſe immediately.

And then the Houſe reſolved itſelf into a Committee on the ſaid Bill; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Charles Carter* reported that the Committee had had the ſaid Bill under their Conſideration, and made ſome Amendments thereto, but, not having Time to go through the ſame, they had directed him to move for Leave to ſit again.

Reſolved, That this Houſe will again reſolve itſelf into a Committee on the ſaid Bill to morrow.

A *Bill* To empower the Veſtries of the Pariſhes of *Dryſdale*, in the Counties of *Caroline* and *King* and *Queen*, and of *St. Stephen*, in the County of *King* and *Queen*, to ſell their

their Glebes, and to lay out the Money in purchaſing more convenient Glebes, was read a ſecond Time.

Ordered, The ſaid Bill be engroſſed, and read a third Time.

Mr *Riddick* preſented to the Houſe, according to Order, a Bill to dock the Entail of certain Lands whereof *William Seward* is ſeized, and for other Purpoſes therein mentioned; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

On a *Motion* made,

The ſaid *Bill* was read a ſecond Time, and committed to Mr *Riddick*, Mr *Gray*, Mr *Hartwell Cocke* and Mr *Bridger*.

A *Bill* For altering the Court Day of the County of *Prince William* was read a ſecond Time, and committed to Mr *Johnſon*, Mr *Henry Lee*, Mr *Walker* and Mr *Fry*.

Ordered, That it be an Inſtruction to the ſaid Committee to receive a Clauſe or Clauſes for altering the Court Day of *Louiſa* County.

And then the Houſe adjourned until Tomorrow Morning, Eleven o'Clock.

Friday, the 2nd of April, 2 Geo. III. 1762.

A *Claim* of *William Hicks*, for taking up a Runaway therein mentioned, was preſented to the Houſe and received.

Ordered, That the ſaid Claim be referred to the Conſideration of the next Seſſion of Aſſembly.

Mr *Riddick* reported that the Committee to whom the Bill To dock the Entail of certain Lands, whereof *William Seward* is ſeized, and for other purpoſes therein mentioned, was committed, had made ſeveral Amendments thereto, which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where they were again twice read, and agreed to by the Houſe.

Ordered, That the Bill with the Amendments be engroſſed, and read a third Time.

On the *Petition* of *Joſeph Royle*, Printer, praying the Continuance of his Salary.

Reſolved, That the Sum of £350 *per Annum* be allowed to the ſaid *Joſeph Royle*, to continue to the End of the next Seſſion of Aſſembly, as a full Conſideration for printing the Journal of the Houſe of Burgeſſes, printing the Laws of each Seſſion and ſending 13 of them to every County Court Clerk, one of which to be half bound, for the Uſe of the Court, printing Inſpectors Notes and Books, Proclamations, and other publick Advertiſements.

Ordered, That the ſaid Reſolve be engroſſed, and that Mr *Attorney* do carry it to the Council for their Concurrence.

On the *Petition* of *James Galt*, Keeper of the Publick Gaol, praying a Continuance of his former Salary.

Reſolved, That the additional Sum of £15 be paid to the ſaid *James Galt*, over and above his uſual Salary of £25 *per Annum*.

Reſolved, That 10 lbs. of Tobacco per Day be allowed to the ſaid *James Galt*, for every Criminal committed to the ſaid Gaol during ſuch Criminal's Impriſonment, from this Time to the End of the next Seſſion of Aſſembly.

On a *Motion* made,

Reſolved, That the Sum of £100 be given, to be laid out in Clothes and Preſents for the *Tuſkarora* Indians, as a Reward for their Attachment and faithful Services to this Colony.

Ordered, That the ſaid Reſolve be engroſſed, and that Mr *Attorney* do carry it to the Council for their Concurrence.

The *Order* of the Day being read,

The Houſe again reſolved itſelf into a Committee on the ſaid Bill For granting an Aid to his Majeſty, and for other Purpoſes therein mentioned; and after ſome Time ſpent

ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Charles Carter* reported that the Committee had had the ſaid Bill under their further Conſideration, and gone through the ſame, and had made ſeveral Amendments thereto, which they had directed him to report to the Houſe; and he read the ſame in his Place, and then delivered them in at the Table, where they were again twice read, and agreed to by the Houſe. 11

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

Mr *Pendleton* reported that the Perſons to whom the Petition of *Thomas Gift* was referred had examined into the Allegations thereof, and found them to be true, and had come to a Reſolution thereon; which he read in his Place, and then delivered in at the Table, where the ſame was again twice read, and agreed to by the Houſe, with an Amendment, as follows:

Reſolved, That the ſaid *Thomas Gift* ought to be allowed by the Publick the Sum of £100, as a Recompenſe for his Bravery, the Wound he received, and the Hardſhips he ſuſtained, in the Service of this Country.

Mr *Thomas Johnſon* reported that the Committee to whom the Bill For altering the Court Days of the Counties of *Prince William* and *Louiſa*, was committed, had made ſeveral Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

Mr *Pendleton* reported that the Perſons to whom the Petition of *John Coles* was referred had examined into the Allegations thereof, and found them to be true, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where the ſame was again twice read, and agreed to by the Houſe, as follows:

It appears to your *Committee* that the Horſe in the Petition mentioned was taken by Captain *Bullet* into his Majeſty's Service, being firſt appraiſed to £15 current Money, was afterwards taken by the Enemy, and never returned to the Petitioner.

It alſo appears that the *Petitioner*, being a Tailor, did, by Direction of Colonel *Stephen*, while the Troops were in *South Carolina*, perform Work in his ſaid Trade, and furniſh Neceſſaries for ſeveral Soldiers in the ſaid *Stephen's* Company, to the Amount of £5–14–6, for which he has received no Satiſfaction; but whether the ſaid *Stephen* ſtopped the Money out of the Pay of the ſeveral Soldiers for whom the ſaid Work was done, or not, does not appear.

Reſolved, That the Petitioner ought to be paid the Sum of £15 for his Horſe aforeſaid, by the Publick.

Reſolved, That the Reſidue of the Petitioner's Claim ought to be referred to the Conſideration of the next Seſſion of Aſſembly.

An engroſſed *Bill*, entitled, *An Act*[1] *to empower the Veſtries of the Pariſhes of* Dryſdale, *in the Counties of* Caroline *and* King and Queen, *and of* St. Stephen, *in the ſaid County of* King *and* Queen, *to ſell their Glebes, and lay out the Money in purchaſing more convenient Glebes*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the Bill do paſs.

Ordered, That Mr *Pendleton* do carry the ſaid Bill to the Council for their Concurrence.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To prevent Mutiny and Diſertion, and it is referred to Mr *Cary* and Mr *Bradley* to prepare and bring in the ſame.

And then the houſe adjourned until Tomorrow Morning Eleven o'clock.

Saturday

[1] Hening, VII, p. 513.

12

Saturday, the 3rd of April, 2 Geo. III. 1762.

AN engroſſed *Bill*, entitled, *An Act*[1] *for altering the Court Days of the Counties of* Prince William *and* Louiſa, was read the third Time, and the Blanks therein filled up.

Reſolved, That the Bill do paſs.

Ordered, That Mr *Henry Lee*, do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[2] *for granting an Aid to his Majeſty, and for other Purpoſes therein mentioned*, was read the third Time, and the Blanks therein filled up; and the Queſtion being put that the ſaid Bill do paſs, the Houſe divided.

Yeas go forth:

Yeas, counted by Mr *Landon Carter*, 63.

Noes, counted by Mr *Charles Carter*, 3.

Reſolved, That the Bill do paſs.

Ordered, That Mr *Charles Carter* do carry the ſaid Bill to the Council for their Concurrence.

And then the Houſe adjourned until Monday Morning, Eleven o'Clock.

Monday, the 5th of April, 2 Geo. III. 1762.

AN engroſſed *Bill*, entitled, *An Act*[3] *to dock the Entail of certain Lands whereof* William Seward *is ſeized, and for other Purpoſes therein mentioned*, was read a third Time, and the Blanks therein filled up.

Reſolved, That the Bill do paſs.

Ordered, That Mr *Cocke* do carry the ſaid Bill to the Council for their Concurrence.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Bill, *entitled*, An Act[4] for altering the Court Days of the Counties of *Prince William* and *Louiſa*.

Alſo to the Bill, *entitled*, An Act[5] to empower the Veſtries of the Pariſhes of *Dryſdale*, in the Counties of *Caroline* and *King* and *Queen*, and of *St. Stephen*, in the County of *King* and *Queen*, to ſell their preſent Glebes, and lay out the Money in purchaſing more convenient Glebes.

Alſo to the Reſolve *of this Houſe for paying* Joſeph Royle, *Printer, a Salary of* £350 *a Year.*

And to the Reſolve *for paying Lieutenant* Thomas Gift £ 100, *for the Services therein mentioned.*

Mr *Cary* preſented to the Houſe, according to Order, a Bill, To prevent Mutiny and Deſertion; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To amend and Act, entitled, *An Act*[6] *to explain the Charter, and enlarge the Privileges, of the Borough of* Norfolk, *and for other Purpoſes therein mentioned;* alſo one other Act, entitled, *An Act for enlarging and aſcertaining the Limits of the Borough of* Norfolk, *and for other Purpoſes therein mentioned;* and it is referred to Mr *Attorney* and Mr *Bradley* to prepare and bring in the ſame.

Several *Claims* of *Henry Collier* and *Thomas May* were ſeverally preſented to the Houſe, and received.

Ordered

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[1] Hening, VII, p. 509.
[2] *Ibid.*, VII, p. 495.
[3] *Ibid.*, VII, p. 514.
[4] *Ibid.*, VII, p. 509.
[5] *Ibid* VII, p. 513.
[6] *Ibid.* VII, p. 510.

Ordered, That the ſaid Claims be referred to the Conſideration of the next Seſſion of Aſſembly.

On a *Motion* made,

The *Bill*, entitled, *An Act*[1] *to prevent Mutiny and Deſertion*, was read a ſecond Time, and ordered to be engroſſed and read a third Time.

A *Meſſage* from the Council by M[r] *Walthoe*.

That they have agreed to the Bill, *entitled*, An Act[2] to dock the Entail of certain Lands whereof *William Seward* is ſeized, and for other Purpoſes therein mentioned.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly; and it is referred to M[r] *Cary* to prepare and bring in the ſame.

M[r] *Cary* preſented to the Houſe, according to Order, a Bill For paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

On a *Motion* made,

The ſaid *Bill* was read a ſecond Time, and ordered to be engroſſed and read a third Time.

M[r] *Attorney* preſented to the Houſe, according to Order, a Bill To amend the Act, entitled, *An Act*[3] *to explain the Charter, and enlarge the Privileges of the Borough of* Norfolk, *and for other Purpoſes therein mentioned;* alſo one other Act entitled, *An Act for enlarging and aſcertaining the Limits of the Borough of* Norfolk, *and for other Purpoſes therein mentioned;* and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

On a *Motion* made,

The ſaid *Bill* was read a ſecond Time, and ordered to be engroſſed and read a third Time.

And then the Houſe adjourned until Tomorrow Morning Eleven o'Clock.

Tuesday, the 6th of April. 2 Geo. III. 1762.

AN engroſſed *Bill*, entitled, *An Act*[4] *to prevent Mutiny and Deſertion*, was read a third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That M[r] *Cary* do carry the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[5] *to amend an Act*, entitled, *An Act to explain the Charter, and enlarge the Privileges of the Borough of* Norfolk, *and for other Purpoſes therein mentioned;* alſo one other Act, entitled, *An Act for enlarging and aſcertaining the Limits of the Borough of* Norfolk, *and for other Purpoſes therein-mentioned;* was read a third Time, and the Blanks therein filled up.

Reſolved, That the Bill do paſs.

Ordered, That M[r] *Bradley* do carry the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[6] *for paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly*, was read a third Time.

Reſolved, That the Bill do paſs.

Ordered, That M[r] *Cary* do carry the ſaid Bill to the Council for their Concurrence.

Several *Claims* of *John Pride*, *Richard Jones*, *William Pegrem*, *Thomas Munday* and *Ambroſe Greenhill*, were ſeverally preſented to the Houſe and received.

Ordered

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[1] Hening, VII, p. 502.
[2] *Ibid.*, VII, p. 514.
[3] *Ibid.*, VII, p. 510.
[4] *Ibid.*, VII, p. 502.
[5] *Ibid.*, VII, p. 510.
[6] *Ibid.*, VII, p. 508.

14 *Ordered*, That the ſaid Claims be referred to the Conſideration of the next Seſſion of Aſſembly.

On a *Motion* made,

Reſolved, That the ſeveral Sums following be paid to the ſeveral Officers of the General Aſſembly, reſpectively:

To *John Randolph*, Eſq; Clerk of the Houſe of Burgeſſes..... £ 60
To *Nathaniel Walthoe*, Eſq; Clerk of the General Aſſembly..... 30
To the Reverend Mr *William Yates*, Chaplain,..... 15
To Mr *Francis Eppes*, Sergeant at Arms..... 20
To Mr *George Davenport*, for his Services,..... 5
To the Doorkeeper of the Council..... 5

To *James Lavie*, ...
To *Thomas Francis*,
To *Nathaniel Hix*, ..
To *John Broadrib*, ..
} Doorkeepers to the Houſe {
..... 5
..... 5
..... 5
..... 5

Ordered, That the ſaid Reſolve be engroſſed, and that Mr *Cary* do carry it up to the Council for their Concurrence.

A *Meſſage* from the Council was delivered by Mr *Walthoe*.

That they have agreed to the Bill, *entitled*, An Act[1] for granting an Aid to his Majeſty, and for other Purpoſes therein mentioned.

Alſo to the Bill, *entitled*, An Act[2] to amend an Act, to explain the Charter, and enlarge the Privileges, of the Borough of *Norfolk*, and for other Purpoſes therein mentioned; *alſo one other Act, entitled*, An Act for enlarging and aſcertaining the Limits of the Borough of *Norfolk*, and for other Purpoſes therein mentioned.

Alſo to the Bill, *entitled*, An Act[3] for paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly.

Alſo to a Bill, *entitled*, An Act[4] for preventing Mutiny and Deſertion.

Alſo to the Reſolve *of this Houſe, For paying the reſpective Officers of the General Aſſembly the ſeveral Sums of Money therein mentioned.*

And to the Reſolve, *For giving £ 100 to the* Tuſkarora *Indians.*

Ordered, That a Committee be appointed to examine the enrolled Bills of the following Perſons: Mr *William Digges*, Mr *Carrington*, Mr *John Fleming*, Mr *Henry Lee*, Mr *Cabbell* and Mr *Claiborne*.

A *Petition* of *Robert Willis*, ſetting forth that he hath been a Soldier many Years; that he is very infirm, and unable to provide for himſelf and Family; and praying the Conſideration of this Houſe, was preſented to the Houſe and read; and the Queſtion being put that the ſaid Petition be referred to a Committee,

It paſſed in the Negative.

Ordered, That the ſaid Petition be rejected.

And then the Houſe adjourned until Tomorrow Morning, Eleven o'Clock.

Wednesday, the 7th of April, 2 Geo. III. 1762.

A *Petition* of *Leonard Price*, ſetting forth that during the Campaign in 1760 he, by Colonel *Byrd's* Orders, acted as Adjutant to the 700 additional Forces raiſed for the Relief of Fort *Loudoun* and Protection of the ſouthern Frontiers; that as the ſaid Additionals were all raw and undiſciplined, he found the Diſcharge of his Office very troubleome; that as your Petitioner is adviſed there is no Fund eſtabliſhed by Act of Aſſembly for Payment of ſuch an Officer, humbly prays this

[1] Hening, VII, p. 495. [2] *Ibid.*, VII, p. 510. [3] *Ibid.*, VII, p. 508. [4] *Ibid.*, VII, p. 502.

this Houſe will take his Services into Conſideration, and allow him the uſual Pay of an Adjutant for the Time he did that Duty; was preſented to the Houſe and read. 15

Ordered, That the ſaid *Leonard Price* be allowed the Sum of £ 36-8-0.

Mr *William Digges* reported that the Committee appointed had, according to Order, examined the enrolled Bills, and rectified ſuch Miſtakes as were found therein; and that they were truly enrolled.

Ordered, That he carry the ſaid Bill to the Council for their Inſpection.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have inſpected the enrolled Bills, and are ſatiſfied they are truly enrolled.

A *Meſſage* from the Governour was delivered by Mr *Walthoe*.

Mr *Speaker*

The Governour commands the immediate Attendance of your Houſe in the Council Chamber, and that you bring with you ſuch Bills and Reſolves as are ready for his Aſſent.

Mr *Speaker* with the Houſe went up accordingly, and the Governour was pleaſed to give his Aſſent to the following Bills:

1 *An Act*[1] *for granting an Aid to his Majeſty, and for other Purpoſes therein mentioned.*

2 [2]*To prevent Mutiny and Deſertion.*

3 [3]*For altering the Court Days of the Counties of Prince William and Louiſa.*

4 [4]*To amend an Act, entitled, An Act to explain the Charter, and enlarge the Privileges, of the Borough of Norfolk, and for other Purpoſes therein mentioned; alſo one other Act, entitled, An Act for enlarging and aſcertaining the Limits of the Borough of Norfolk, and for other Purpoſes therein mentioned.*

5 [5]*To empower the Veſtries of the Pariſhes of Dryſdale, in the Counties of Caroline and King and Queen, and of St. Stephen, in the ſaid County of King and Queen, to ſell their Glebes, and to lay out the Money in purchaſing more convenient Glebes.*

6 [6]*To dock the Entail of certain Lands whereof William Seward is ſeized, and for other Purpoſes therein mentioned.*

7 [7]*For paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly.*

His Honour likewiſe gave his Aſſent to the following Reſolves:

1 *For paying the ſeveral officers of the General Aſſembly the reſpective Sums of Money therein mentioned.*

2 *For paying Lieutenant Thomas Giſt the Sum of £ 100.*

3 *For paying Joſeph Royle, Printer to the Publick, a Salary of £ 350 a Year.*

4 *For paying the Sum of £ 100 to the Tuſkarora Indians.*

And then his Honour was pleaſed to make the following Speech:

Gentlemen of the Council, Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

The Cheerfulneſs and Alacrity with which you have ſo generouſly provided for the raiſing another Regiment for his Majeſty's Service, immediately after the diſbanding the old One, and entered into every Meaſure recommended to you, muſt at once convince the World of your Judgment and Spirit; confirm the Character the Virginians have long born of being loyal, faithful and dutiful, Subjects; and render you dear to your royal Sovereign. This Conduct, which I ſhall not fail to repreſent in its true Light to his Miniſters, demands my Thanks in the Name of my moſt gracious Maſter; which, from this Seat, where more particularly than elſewhere I have the Honour to be his Repreſentative, I now publickly give you with great Cordiality. 16

The

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[1] Hening, VII, p. 495.
[2] *Ibid.*, VII, p. 502.
[3] *Ibid.*, VII, p. 509.
[4] *Ibid.*, VII, p. 510.
[5] *Ibid.*, VII, p. 513.
[6] *Ibid.*, VII, p. 514.
[7] *Ibid.*, VII, p. 508.

The Harmony that ſubſiſts between us is a Source of great Satiſfaction to me, on which I could expatiate largely, were this a proper Place or Time for it; and may God increaſe it in our Hearts, for the Service of our King, the Intereſt of our Country, and the Happineſs of us all.

As I propoſe to call you together towards the End of the Year, to conſider of the State of this Colony, and to provide for the future Well being of it, by enacting ſuch wholeſome Laws as may tend to the well governing and Improvement thereof, I ſhall not now detain you here, to the Detriment of your own private Affairs, but ſhall prorogue you, and you are accordingly prorogued, to the laſt Tueſday in June next.

JOURNAL

of the

HOUSE OF BURGESSES

1762

November Seſſion

Burgeſſes.

Accomac	Southey Simpſon Thomas Parramore
Albemarle	Thomas Walker *John Fry
Amelia	David Greenhill *Thomas Tabb
Amherſt	William Cabell *Cornelius Thomas
Auguſta	John Wilſon Iſræl Chriſtian
Bedford	William Callaway *John Talbot
Brunſwick	William Thornton Iſaac Rowe Walton
Buckingham	Robert Bolling, Jr. Joſeph Cabell
Caroline	John Baylor Edmund Pendleton
Charles City	Benjamin Harriſon William Kennon
Cheſterfield	Archibald Cary Richard Eppes
The College	Mann Page
Culpeper	John Field *James Barbour
Cumberland	George Carrington John Fleming
Dinwiddie	Robert Bolling *Leonard Claiborne, Jr.
Elizabeth City	William Wager George Wythe
Eſſex	John Lee John Upſhaw
Fairfax	George Johnſton John Weſt
Fauquier	Thomas Harriſon Thomas Marſhall
Frederick	George Waſhington George Mercer
Glouceſter	Thomas Whiting John Page
Goochland	John Payne *Joſias Payne
Halifax	Nathaniel Terry *Robert Wade
Hampſhire	James Mercer Thomas Rutherford
Hanover	Nathaniel Weſt Dandridge John Syme
Henrico	Bowler Cocke Philip Mayo
Iſle of Wight	James Bridger *Joſeph Bridger
James City	Lewis Burwell Philip Johnſon
Jameſtown	Edward Champion Travis
King & Queen	John Pendleton John Robinſon
King George	Charles Carter Charles Carter, Jr.
King William	Bernard Moore Carter Braxton
Lancaſter	Charles Carter *Richard Mitchell
Loudoun	Francis Lightfoot Lee James Hamilton
Louiſa	William Johnſon Thomas Johnſon
Lunenburg	Henry Blagrave Clement Reade
Middleſex	John Smith Ralph Wormeley
Nanſemond	Willis Riddick Lemuel Riddick
New Kent	Burwell Baſſett *Richard Adams
Norfolk	William Bradley Thomas Yeal
Norfolk Borough	Joſeph Hutchings
Northampton	John Harmanſon Thomas Dalby
Northumberland	Richard Hull *Spencer Ball
Orange	James Taylor James Walker
Prince Edward	Peter Legrand *Abner Naſh
Prince George	Richard Bland Richard Bland, Jr.
Prince William	John Baylis Henry Lee
Princeſs Anne	Edward Hack Moſeley *Anthony Walke

*Not ſhown by the Journal to have been preſent during the Aſſembly.

Richmond	John Woodbridge Landon Carter	Suſſex	*David Maſon *John Edmunds
Southampton	Joſeph Gray *Benjamin Symmons	Warwick	William Harwood William Digges
Spotſylvania	Fielding Lewis *Benjamin Grymes	Weſtmoreland	Richard Henry Lee Richard Lee
Stafford	William Fitzhugh *Thomas L. Lee	Williamſburg	Peyton Randolph
Surry	Hartwell Cocke Thomas Bailey	York	Dudley Digges Thomas Nelſon, Jr.

*Not ſhown by the Journal to have been preſent during the Aſſembly.

Changes in the Perſonnel, 1762.

November Seſſion

Hampſhire	James Mercer ſucceeded James Keith
New Kent	Burwell Baſſett ſucceeded Gill Armiſtead
Surry	Thomas Bailey ſucceeded Henry Browne

3

JOURNAL

of the

HOUSE OF BURGESSES

Tuesday, the 2nd of November, 3 Geo. III. 1762.

A *Meſſage* from the Governour was delivered by Mr *Walthoe*.

Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

The Governour commands the immediate Attendance of your Houſe in the Council Chamber.

Accordingly Mr *Speaker*, with the Houſe, went up to attend the Governour;

And being returned, reported that the Houſe had attended the Governour in the Council Chamber; and that his Honour was pleaſed to make a Speech to the Council and this Houſe, of which he had (to prevent Miſtakes) obtained a Copy, which he read in his Place, and afterwards delivered in at the Table, where it was again twice read, and is as follows:

Gentlemen of the Council, Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes.*

I have called you together purſuant to my laſt Prorogation, that you may now enter upon the uſual Buſineſs of the Country, and provide for the future Safety and Well being thereof, by enacting ſuch Laws as to you ſhall ſeem moſt expedient for that ſalutary Purpoſe. It is the Duty of every Member of the Legiſlature, during the Receſſes of General Aſſembly, to conſider the preſent State of the Colony, and the Means which may be further neceſſary to improve it: If this is a Truth not to be controverted, it becomes more particularly the Duty of thoſe Men to whoſe Care his Majeſty has entruſted the Adminiſtration of the Affairs Government in his Provinces; and while I have the Honour of ſitting in this Seat, I hope I ſhall never think that any Thing can abſolve me from the Diſcharge of this important Part of my Office.

The firſt Thought which, under our preſent Circumſtances, will naturally preſent itſelf to every Man who has in the leaſt reflected on theſe Matters, in the Scarcity of Bullion, both Gold and Silver, moſt notoriouſly prevalent at this Time in this Colony. Whether this is owing to the Operation of any Law now actually in Force, or whether it is owing to the Want of ſome new Law to remedy this Evil and produce the deſired Effect, in either Caſe it ſeems to call upon you for your moſt ſerious Conſideration; and I recommend it to you in this Light, but with this very neceſſary Precaution, of which I hope you will never loſe Sight, that it is not to be done in Haſte, upon looſe unconſidered Principles, or without the moſt mature Deliberation. It is even better to ſuſtain the Inconveniences we at preſent feel than to attempt to ſeek Relief by Remedies which are not to undergo the moſt ſtrict Examination, and ſevere Scrutiny; for, by long Experience of Men much converſant in thoſe Speculations, it has been found that the meddling with the Mediums of Trade and Commerce, whether it be Bullion or Paper, is of a moſt delicate Nature, and is often attended with a long Train of very diſtant Conſequences, not always obvious to a Man of the greateſt Sagacity at the Time of making Laws relating thereto.

4

Another

Another Thing I would recommend to you is the preparing ſome Bill to regulate the Trade with the Cherokee *Indians. Governour* Boone *has repreſented this to me in ſo judicious and equitable a Light, in a Letter which I ſhall now lay before you, and ſent me in the Copy of an Act paſſed in his Aſſembly, which appears to me to be ſo well calculated to anſwer the Purpoſe, that I cannot do better than wiſh you to follow ſuch an Example. This Meaſure, in all human Probability, will prevent the trading Jealouſies too apt to ariſe between neighbouring Colonies, and the Dangers to be feared from the imprudent Conduct of private Traders.*

To take Care of the Intereſt of the Colony during the Summer, I have, by and with the Advice of his Majeſty's Council, provided for it in the beſt Manner I Have been able, by laying an Embargo on Ships loaded with Tobacco and prohibiting the Exportation of Indian *Corn: By the firſt the Property of the Planters has been endeavoured to be ſecured, until ſome Ship of Force belonging to his Majeſty ſhould arrive to ſupply the Place of thoſe which the Neceſſity of the Times called from us, and to protect it (which Event has now happened) by the ſecond the Cries of the Poor have been ſtopped, and the exorbitant Price to which that Grain ſeemed likely to riſe been checked. A Sloop has alſo been hired and fitted out to protect the Shipping within the Capes from the Inſults of ſmall Privateers, which owed their Security to their Size: This prevented their being followed into ſhoal Waters in which they could ſail with Safety, by his Majeſty's Ship under the Command of* William Manwaring, *Eſq; ſtationed on this Coaſt. In juſtice to this Gentleman, it is requiſite I ſhould inform you of his Readineſs to aſſiſt us on this Occaſion, by lending Men, without which we ſhould not have been able to have manned our Sloop. As the Fund of 2 s. per Hogſhead for the Support of Government is in a low State, I ſhall leave it with you to determine whether the Country will not take upon itſelf the Payment of the Expenſe, which cannot be great, of a Meaſure entered into for the Good of the whole Community.*

Gentlemen,

It is with the higheſt Degree of Satiſfaction that I have it in my Power to acquaint you that I ſtand charged to communicate to you his Majeſty's Approbation of the Conduct of this Colony, and his gracious Acceptance of your Zeal and Attachment to his Service, tranſmitted to me in Letters from one of his principal Secretaries of State, and his Commander in Chief on this Continent; which I ſhall immediately lay before you. From my own Feelings, I am thoroughly convinced that the Honour now done you muſt very ſenſibly affect every Man who had a Share in promoting the Service of a King ſo ready to acknowledge it, and inſpire him with a ſtrong Deſire to continue to merit the royal Approbation. This affords me a proper Occaſion to make Mention of the Regiment, which ſtands provided for but for a ſhort Time: As the Men are now extremely well clothed, and are victualled by the Crown, ſo that the Pay for a few Months is the only Object, I ſhould recommend it to you, merely as a Matter of Prudence, to keep them on Foot; as I have now, by frequent Experience of your inviolable Attachment to his Majeſty and his Service, found, that you would raiſe them at a much larger Expenſe, if his Majeſty ſhould earneſtly require it. Such an Opinion has your conſtant and uniform Conduct raiſed in me of your Zeal to ſupport the Good of the common Cauſe; and when you conſider the Letters from Sir Jeffery Amherſt *on this Subject, I make no Doubt but you will agree with me in the Prudence of this Step.*

I have alſo the Pleaſure to inform you that the Account with the Crown of the Expenſes of this Colony for the Year 1760 has been ſettled with Sir Jeffery Amherſt, *and the Balance found due to the Colony by the Auditors of the Crown Accounts ſettled at, 18, 617 £ 4s. 1 d. of which Sum I have already received and paid into the Treaſury 18,351 £ 4 s. 9 d. and daily expect the Payment of the ſmall Balance remaining now due.*

To complete the Happineſs of the Britiſh *Nation, Heaven has been graciouſly pleaſed to ſend us an Heir to his Majeſty's Crown and Virtues; which has been notified to me by the Earl of* Egremont, *with the pleaſing Circumſtances that her Majeſty and the young Prince were in as perfect Health as can be expected or wiſhed, of which happy Event I moſt ſincerely congratulate you.*

Mr

Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

From the pleaſing Proſpect which now begins to open itſelf to our View, there is at leaſt Room to hope that the Expenſe of every Article now recommended to you, if they ſhould meet with your Concurrence, will not be great, or of long Duration; and in the providing for them, I am firmly perſuaded that you will take the Means leaſt liable to Exception, and leaſt prejudicial to the Inhabitants.

Gentlemen of the Council, and of the Houſe of Burgeſſes,

The Honour you have already acquired is great; and for the Regard I bear the Colony, let me recommend it to you to purſue your Courſe, until you arrive at the Goal which ſeems to be now in your View. The Buſineſs I have mentioned to you will require much Attention, therefore it will be requiſite you ſhould ſet about it with Diligence, and Unanimity; which I make no Doubt but you will do, as ſuch a Conduct muſt meet with the Approbation and Praiſe of your Country.

Reſolved, That an humble Addreſs be preſented to his Honour the Governour, to return him our Thanks for his kind Speech at the Opening of this Seſſion; to congratulate with him on the Birth of an Heir to the Throne of *Great Britain*, and the Dominions thereunto belonging; to expreſs our Satiſfaction that his Majeſty has been pleaſed to accept our Services in a Manner ſuitable to our Intentions, and to aſſure him that Affection and Loyalty will influence all our future Actions.

Ordered, That a Committee be appointed to draw up an Addreſs to the Governour, purſuant to the ſaid Reſolution; and it is referred to Mr *Attorney* and Mr *Cary* to prepare and bring in the ſame.

Reſolved, That this Houſe will take the Governour's Speech into Conſideration Tomorrow.

Mr *Speaker* reported that the Governour had delivered to him the ſeveral Letters mentioned in his Speech, which he had deſired him to lay before the Houſe.

And the ſaid *Letters* were read, and ordered to lie on the Table.

Ordered, That an Addreſs be made to the Governour to order a new Writ to iſſue for electing a Burgeſs to ſerve in this preſent General Aſſembly for *Hampſhire*, in the Room of Mr *Keith*, who, ſince his Election, hath accepted of the Office of Clerk of a County; and that Mr *Richard Henry Lee* do wait on his Honour with the ſaid Addreſs.

Ordered, That an Addreſs be made to the Governour, to order a new Writ to iſſue for the electing a Burgeſs to ſerve in this preſent General Aſſembly for the County of *New Kent*, in the Room of Mr *Armiſtead*, deceaſed; and that Mr *Benjamin Harriſon* do wait on his Honour with the ſaid Addreſs.

Ordered, That an Addreſs be made to the Governour, to order a new Writ to iſſue for the electing a Burgeſs to ſerve in this preſent General Aſſembly for the County of *Surry*, in the Room of Mr *Brown*, deceaſed; and that Mr *Hartwell Cocke* do wait on his Honour with the ſaid Addreſs.

Ordered, That the Reverend Mr *William Yates* be continued Chaplain to this Houſe, and that he attend to read Prayers every Morning at 10 o'Clock.

Ordered, That the ſeveral Doorkeepers be continued in their reſpective Offices, and that they give their Attendance accordingly.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Wednesday, the 3rd of November, 3 Geo. III. 1762.

6

THE *Order* of the Day being read, for the Houſe to take into Conſideration the Governour's Speech,

Reſolved, That this Houſe will reſolve itſelf into a Committee on the ſaid Speech Tomorrow.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Thursday

Thurſday, the 4th of November, 3 Geo. III. 1762.

MR *Attorney* reported that the Committee appointed had, according to Order, prepared an Addreſs to the Governour; which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe, and is as follows:

Sir,

We his Majeſty's moſt dutiful and loyal Subjects, the Burgeſſes of Virginia, *now met in General Aſſembly, return your Honour our ſincere Thanks for your kind Speech at the Opening of this Seſſion.*

We heartily congratulate with you on the Birth of an Heir to the Throne of Great Britain: *May the Sceptre, when it ſhall deſcend into his Hands, be uſed as it has been by his Anceſtors, to obtain Glory and Felicity to the Crown and his People.*

Permit us, Sir, to expreſs our Satiſfaction that his Majeſty has been pleaſed to accept our Services in a Manner ſo ſuitable to our Intentions, and to aſſure you that the warmeſt Affection and Loyalty ſhall influence all our future Actions.

Ordered, That the ſaid Addreſs be fairly tranſcribed, and preſented by the whole Houſe.

Ordered, That the Committee which prepared the ſame wait on the Governour, to know his Pleaſure when the Houſe ſhall attend his Honour to preſent it.

A *Petition* of *William Talbot*, ſetting forth that in the Year 1755 he liſted in the *Virginia* Regiment, and ſerved as a Sergeant therein until the Year 1758, when in Col. *Grant's* Engagement, near Fort *Duqueſne*, he received a Wound in his right Arm, which has rendered him incapable of hard Labour; that he was then taken Priſoner, and carried by the *Indians* to Fort *d'Etroit*, where he endured a ſevere Captivity of 15 Months; when he was delivered up by the *Indians*, and rejoined the Regiment, in which he continued faithful in Duty until *March* laſt, when the Regiment was broke, and among others was diſcharged; and praying the Conſideration of the Houſe, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to Mr *Pendleton* and Mr *Richard Henry Lee;* that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Ordered, That a Committee of Privileges and Elections be appointed, of the following Perſons:

Mr *Bland*,
Mr *Attorney*,
Mr *William Digges*,
Mr *Benjamin Harriſon*,
Mr *John Page*,
Mr *Dudley Digges*,
Mr *Wythe*,
Mr *Richard Henry Lee*,
Mr *Edmund Pendleton*,
Mr *Whiting*,
Mr *Lemuel Riddick*,
Mr *Mann Page*.

And that they are to meet and adjourn from Day to Day, and to examine in the firſt Place all Returns of Writs for electing Burgeſſes to ſerve in this preſent General Aſſembly, and to compare the ſame with the Form preſcribed by Law; and to take into their Conſideration all ſuch Matters as ſhall or may come in Queſtion touching Returns, Elections and Privileges; and to report their Proceedings, with their Opinions thereon, from Time to Time, to the Houſe. And the ſaid Committee are to have Power to ſend for Perſons, Papers and Records, for their Information.

Ordered

Ordered, That a Committee of Propoſitions and Grievances be appointed of the following Perſons:

Mr *Attorney-General*,

Mr *Bland*,
Mr *Cary*,
Mr *Edmund Pendleton*,
Mr *William Digges*,
Mr *Benjamin Harriſon*,
Mr *Wythe*,
Mr *Burwell*,
Mr *Charles Carter* (*King George.*),
Mr *Richard Henry Lee*,
Mr *John Page*,
Mr *Dudley Digges*,
Mr *Fleming*,
Mr *James Taylor*,
Mr *Whiting*,
Mr *Lemuel Reddick*,
Mr *Fitzhugh*,
Mr *Moſeley*,
Mr *Francis Lee*,
Mr *George Johnſton*,
Mr *Robert Bolling*,
Mr *Philip Johnſon*,
Mr *Mann Page*,
Mr *Robert Bolling*, Jun.,
Mr *Lewis*,
Mr *Richard Bland*, Jun.,
Mr *John Smith*,
Mr *Dandridge*,
Mr *Mercer*,
Mr *Kennon*.

And they are to meet and adjourn from Day to Day, and to take into their Conſideration all Propoſitions and Grievances that ſhall come legally certified to this Aſſembly; and to report their Proceedings, with their Opinions thereon, from Time to Time, to the Houſe. And all ſuch Propoſitions and Grievances are to be delivered to the Clerk of the Houſe, and by him to the ſaid Committee of Courſe; and the ſaid Committee are to have Power to ſend for Perſons, Papers and Records, for their Information.

Ordered, That a Committee of Publick Claims be appointed, of the following Perſons:

Mr *Archibald Cary*.

Mr *Richard Lee*,
Mr *Wilſon*,
Mr *Thornton*,
Mr *Hartwell Cocke*,
Mr *Travis*,
Mr *Chriſtian*,
Mr *Weſt*,
Mr *J. Payne*,
Mr *Willis Reddick*,
Mr *John Lee*.
Mr *Hull*,
Mr *Walton*,
Mr *Callaway*,
Mr *Bradley*,
Mr *Upſhaw*,
Mr *Harmarſon*,
Mr *Harwood*.

And they are to meet and adjourn from Day to Day, and to take into their Conſideration all publick Claims referred from the laſt to this Seſſion of Aſſembly, and alſo all ſuch Claims as ſhall be regularly certified and preſented to this Seſſion; and to report their Proceedings, with their Opinions thereon, to the Houſe, when they have gone through the ſaid Claims. And all Perſons that have any Claims are to deliver them to the ſaid Committee, of Courſe; and they are to have Power to ſend for Perſons, Papers and Records, for their Information.

8 *Ordered*, That a Committee for Courts of Juſtice be appointed, of the following Perſons:

Mr *Edmund Pendleton*,

Mr *Wythe*,
Mr *Le Grand*,
Mr *Thomas Harriſon*,
Mr *James Taylor*,
Mr *Field*,
Mr *J. Pendleton*,
Mr *Mayo*,
Mr *J. Bridger*,
Mr *James Walker*.

And they are to meet and adjourn from Day to Day, and to take into their Conſideration all Matters relating to Courts of Juſtice, and ſuch other Matters as ſhall from Time

Time to Time be referred to them; and report their Proceedings, with their Opinions thereon, to the Houſe. And the ſaid Committee are to inſpect the Journals of the 7th Seſſion of the laſt General Aſſembly, and the 1ſt, 2d and 3d, Seſſions of this preſent General Aſſembly; and draw up a State of the Matters then depending and undetermined, and the Progress that was made therein, and report the ſame to the Houſe: That they do alſo examine what Laws have expired ſince the laſt Seſſion, and inſpect ſuch temporary Laws as will expire with the End of this Seſſion, or are near expiring; and report the ſame to the Houſe, with their Opinions which of them are fit to be revived and continued.

Ordered, That a Committee of Trade be appointed of the following Perſons:

Mr *Benjamin Harriſon*,
Mr *Moſeley*,
Mr *Chriſtian*,
Mr *Upſhaw*,
Mr *Whiting*,
Mr *Lemuel Riddick*,
Mr *Simpſon*,
Mr *Greenhill*,
Mr *Marſhall*,
Mr *Hamilton*,
Mr *Blagrave*,
Mr *Hutchings*,
Mr *Veal*,
Mr *Bradley*,
Mr *Lewis*,
Mr *John Smith*.

And they are to meet and adjourn from Day to Day, and to take into their Conſideration all Things relating to the Trade of this Colony, and all Matters that ſhall be from Time to Time to them referred; and to report their Proceedings, with their Opinions thereon, to the Houſe. And the ſaid Committee are to have Power to ſend for Perſons, Papers and Records, for their Information.

Ordered, That Mr *George Davenport* be continued Clerk to the Committees of Privileges and Elections, and Propoſitions and Grievances; Mr *Miles Cary*, Clerk to the Committee of Claims; Mr *Thomas Everard*, Clerk to the Committee for Courts of Juſtice; and Mr *Hind Ruſſell*, to the Committee of Trade; and that they give their Attendance accordingly.

On a *Motion* made,

Ordered, That the Letters received by the Committee of Correſpondence from *Edward Montague*, Eſq; and all their Proceedings, be laid before the Houſe.

A *Petition* of *Sarah Lovell*, ſetting forth that in the Year 1748 her Huſband *Richard Lovell* enliſted as a Soldier in the *Virginia* Regiment; in which Service he was taken ſick and died, leaving her and two Children in a very deſtitute Condition; that whilſt ſhe was able ſhe uſed the utmoſt of her Power to maintain them, but being ſeized with a Diſtemper in her Mouth, by which ſhe has loſt the whole of her under Jaw, is rendered entirely incapable of continuing that Support as formerly; that ſhe applied to the Veſtry of the Pariſh in which ſhe lives for Relief, but without Effect; and praying that this 9
Houſe will take her forlorn Condition into Conſideration, and grant her ſuch Relief as ſhall be thought reaſonable, was preſented to the Houſe and read; and the Queſtion being put that the ſaid Petition be referred to a Committee,

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

A *Petition* of *William Ingles*, praying that a Ferry may be eſtabliſhed on his Land, over the *New River*, near the *Dunkers* Bottom; that the ſaid Ferry will be very convenient to the Inhabitants beyond the *New River*, and to all Perſons concerned in trading with the *Cherokees* from this Colony.

Alſo a *Petition* of *William Tyler*, ſetting forth, by an Act of Aſſembly made in the 33d Year of the Reign of his late Majeſty King *George* II, a publick Ferry was appointed to be kept by the ſaid *Tyler*, from his Landing, in the County of *Weſtmoreland*, over *Potowmack*, to *Cedar Point*, in the Province of *Maryland*, at the Rates in the ſaid Act mentioned; that the Petitioner hath ever ſince ſupported the ſaid Ferry at a great Expenſe

Expenſe, but finds it impracticable to continue it any longer at the low Rates allowed by the ſaid Act; and praying the Conſideration of this Houſe.

Alſo a *Petition* of *John Bailey*, Guardian of *Jeremiah Garland Bailey*, Son and Heir of *Stephen Bailey*, deceaſed, and ſundry Inhabitants of the County of *Weſtmoreland*, ſetting forth that the Ground whereon *Yeocomico* Warehouſes now ſtand being originally one Acre, the Property of the ſaid Infant, is now by the waſhing of the Shore ſo reduced that there ſcarcely remains Room enough to place new Houſes, which are immediately wanting, as the old ones are entirely gone to Decay, and by the ſaid waſhing of the Land the Water is become ſhallow, and the Landing thereby greatly injured; and praying that an Act may paſs to enable the ſaid Bailey to build new Warehouſes at a Place called the *New Landing*, which is the Property of the ſaid Infant; were ſeverally preſented to the Houſe and read.

Ordered, That the ſaid Petitions be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinions thereon, to the Houſe.

A *Petition* of *John Gatewood* and others, Legatees, claiming under the Will of *John Gatewood*, deceaſed, ſetting forth that in *January* 1761 *Tom*, a Negro Man Slave belonging to the ſaid Legatees, was apprehended and committed to the Gaol of the ſaid County, with another Negro for Burglary: On the Trial the other Fellow confeſſed the Fact, and ſaid *Tom* was with him aiding and aſſiſting, he was condemned and ſuffered Death; but *Tom* artfully denied the Whole, and there being no ſufficient Proof againſt him, eſcaped with only corporal Puniſhment, but by the Inclemency of the Weather while in Priſon was ſo froſt bitten, notwithſtanding all poſſible Care was taken of him, that his Legs were cut off, and he in a ſhort Time after died; and praying the Conſideration of the Houſe, was preſented to the Houſe, and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinions thereon, to the Houſe.

Several *Claims* of *John Coombes*, *Robert Long*, *Benjamin Burchen*, *Charles Harris*, *William Hammond*, *James Breedlove*, *Tandy Dix*, *William Wright*, *Benjamin Collier*, *William Perkinſon*, *William Bates* and *Samuel Faucet*, for taking up Runaways therein mentioned.

Alſo a *Claim* of *John Hickie*, for Proviſions found by him for Capt. *Wade's* Company and ſeveral *Indians*, were ſeverally preſented to the Houſe and received, and referred to the Conſideration of the Committee of Claims.

Ordered, That the Conſideration of the Governour's Speech be put off until *Monday*.

And then the Houſe adjourned until Tomorrow Morning 11 *o'clock*.

Friday, the 5th of November, 3 Geo. III. 1762.

A *Petition* of *John Buchanan*, praying that a Ferry may be eſtabliſhed on his Land in *Auguſta*, inſtead of the Land of *William Ingles*, was preſented to the Houſe, and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances, that they examine into the Allegations thereof, and report the ſame, with their Opinions thereon, to the Houſe.

Two *Claims* of *John James*, for taking up Runaways therein mentioned, were ſeverally preſented to the Houſe and received, and referred to the Conſideration of the Committee of Claims.

Mr *Pendleton* reported that the Perſons to whom the Petition of *William Talbot* was referred have examined into the Allegations thereof, and find them to be true, and have come to the following Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where it was twice read, and agreed to by the Houſe, as follows:

Reſolved

Reſolved, That the ſaid *William Talbot* ought to be paid the Sum of £60 by the Publick, in Conſideration of the Wounds he received in the Service of this Colony, and the Hardſhips he endured in his Captivity.

Ordered, That it he an Inſtruction to the Committee of Claims to make an Allowance to the ſaid *Talbot* in the Book of Claims, purſuant to the ſaid Reſolution.

Mr *Attorney* reported that the Committee had, according to Order, waited on the Governour to know his Pleaſure when this Houſe ſhould attend him with their Addreſs and that he was pleaſed to appoint this Day; and to ſay he would ſignify by a Meſſage to the Houſe when he was ready to receive it.

Mr *Edmund Pendleton*, from the Committee of Courts of Juſtices, reported that the ſaid Committee had, according to Order, inſpected the Journals of the 7th Seſſion of the laſt General Aſſembly, and the 1ſt, 2d and 3d, Seſſions of this preſent General Aſſembly; and have prepared, and drawn up, a State of the Matters then depending and undetermined, and the Progreſs that was made therein; and had agreed on a Report, which he read in his Place, and then delivered in at the Table, where the ſame was again read, and is as follows:

That a *Petition* of ſundry Inhabitants of the County of *Hampſhire*, praying that an Act may be paſſed for eſtabliſhing a Town on the Land of the Right Honourable the Lord *Fairfax*, in that County, called *Tucker's* Plantation, was preſented to the Houſe, and read, and referred to the Conſideration of the next Seſſion of Aſſembly.

That it appears to this *Committee* that the Petition of ſundry Inhabitants of the Counties of *James* and *Charles City*, praying that the Warehouſes for the Inſpection of Tobacco at *Hog Neck* may be diſcontinued, being very inconvenient to Navigation, and that new Warehouſes in the Stead thereof may be eſtabliſhed at *Barrett's* Ferry on the Mouth of *Chickahomony* River.

Alſo a *Petition* of ſundry Inhabitants of *James City* County, in Oppoſition thereto. 11

Alſo a *Petition* of ſundry Inhabitants of the Counties of *James City* and *Surry*, and other Places on *James* River, praying that publick Warehouſes for the Inſpection of Tobacco may be eſtabliſhed at *James Town*, on the Land of *John Ambler*, Eſq; as a Place very convenient to the Planter and Shipper, and particularly in Caſe of relanding Tobacco after Inſpection and ſhipping, which frequently happens there.

Alſo a *Petition* of ſundry Inhabitants of the Pariſh of *Accomack*, in the County of *Accomack*, praying that the ſaid Pariſh may be divided.

Alſo a *Petition* of ſundry Inhabitants of the ſaid Pariſh, in Oppoſition thereto.

Alſo a *Petition* of ſundry Inhabitants of the Pariſh of *Frederick*, in the County of *Frederick*, praying that the ſaid Pariſh may be divided.

Alſo a *Petition* of ſundry Inhabitants of the lower End of *St. Mary's* Pariſh, in the County of *Caroline*, praying that part of the ſaid Pariſh may be added to the Pariſh of *St. David's*, in the County of *King William*.

Alſo a *Petition* of ſundry Inhabitants of the ſaid Pariſh of *St. David's*, to the same Purpoſe.

Alſo a *Petition* of ſundry Inhabitants of the County of *King* and *Queen*, praying that a Town may be eſtabliſhed at *Todd's* Warehouſes, in the ſaid County, were referred to the Committee of Propoſitions and Grievances, to examine into the Allegations thereof and report the ſame, with their Opinions thereon; that the ſaid Committee reported, and which was agreed to by the Houſe, that the ſaid Petition ought to be referred to the Conſideration of the next Seſſion of Aſſembly.

That a *Petition* of ſundry Inhabitants of the Counties of *Amherſt* and *Buckingham*, ſetting forth that before their Diviſion from the County of *Albemarle*, a complete Set of Weights and Meaſures of the *Engliſh* Standard had been purchaſed for the Uſe of the County, of which they paid their proportionable Part; and praying that the Inhabitants of the ſaid County of *Albemarle* may be obliged to reimburſe them, was preſented to the Houſe and read, and referred to the Conſideration of the next Seſſion of Aſſembly.

That a *Petition* of ſundry Merchants on *Rappahannock* River, complaining that they are greatly impoſed on by a Sort of Men called Pilots, who exact exorbitant Fees; and praying

praying that a late Act of Aſſembly for eſtabliſhing the Rates of Pilotage, which expired ſome time ago, may be revived.

Alſo a *Petition* of ſundry Inhabitants of the Pariſh of *St. Anne*, in the County of *Albemarle*, ſetting forth that before the Lines were run for dividing the ſaid County purſuant to a late Act of Aſſembly, and without any Notice given, the Sheriff of the ſaid County aſſembled a few of his Neighbors to elect a Veſtry for the ſaid Pariſh, and accordingly they elected a Veſtry, ſeveral of whom were neither Freeholders or Houſekeepers there; and praying that the ſaid Veſtry may be diſſolved, were preſented to the Houſe and read, and referred to the Conſideration of the next Seſſion of Aſſembly.

That a *Petition* of Mr *James Wallace*, complaining of an undue Election and Return of Mr *William Wager* to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Elizabeth City*.

Alſo a *Petition* of Mr *John Leigh*, complaining of an undue Election and Return of Mr *Peter Le Grand* to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Prince Edward*.

12 *Alſo* a *Petition* of Mr *John Clack*, complaining of an undue Election and Return of Mr *Iſaac Row Walton* to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Brunſwick*.

Alſo a *Petition* of Mr *Henry Peyton*, complaining of an undue Election and Return of Mr *John Baylis* and Mr *Henry Lee* to ſerve as Burgeſſes in this preſent General Aſſembly for the County of *Prince William*; were ſeverally preſented to the Houſe and read, and referred to the Committee of Privileges and Elections, to examine into the Allegations thereof, and report the ſame, with their Opinions thereon, to the Houſe: That the ſaid Committee reported they had had under their Conſideration the Petition of the ſaid Mr Wallace to them referred, and had come to ſeveral Reſolutions thereon, which were read, and agreed to by the Houſe, as follows: That the Perſons who voted at the ſaid Election, whoſe Freeholds are queſtioned either by the Petitioner or ſitting Member, be examined on Oath before *John Tabb*, *Cary Seldon*, *Charles Jennings*, *George Wray*, *James Balfour*, *Jacob Wray and David Wilſon Curl*, of the ſaid County of *Elizabeth City*, Gentlemen, or any 3 of them, whether they be Freeholders or not, except ſuch of them as did ſwear to their Freeholds at the Election.

That the *Petitioner* and ſitting Member be at Liberty to examine Witneſſes before the ſame Perſons as to the Freeholds or other Qualifications of any Perſon who voted at the ſaid Election, or ſhall ſwear to the ſame at the Examination; and that it be an Inſtruction to the Perſons before whom ſuch Examinations are to be taken to examine how long ſuch Voters have been in Poſſeſſion of, and paid Quitrents for, the Lands or Tenements in Right of which they voted at the Election, and that they return the Depoſitions they ſhall take to the next Seſſion of Aſſembly.

That the *Petitioner* give the ſitting Member 10 Days Notice of the time and Place when and where he intends to examine his Witneſſes, alſo a Liſt in Writing of the Names of the Voters he intends to except to, diſtinguiſhing againſt each Name the ſeveral Heads of Exception, and that the ſitting Member do the like to the Petitioner.

That as well the *Petitioner* as the ſitting Member be at liberty to examine Witneſſes before the ſame Perſons as to the Sheriff's Agreement to defer cloſing the Poll by the Conſent of the Candidates, and afterwards to poſtpone it until Sunſetting, and as to his being informed before he cloſed the Poll that 2 Freeholders were on their Way to the Courthouſe, and the Diſtance they were from the Courthouſe when the Poll was cloſed, and as to the Time when the Poll was cloſed; and alſo to examine the Reverend Mr *Warrington*, and the 2 Freeholders above mentioned, and any other Witneſſes, on Oath, as to their Intentions and Declarations to vote for any and which of the Candidates; and that the further Conſideration of the ſaid Petition ſhould be referred to the next Seſſion of aſſembly.

The ſaid *Committee* alſo reported that they had had under their Conſideration the Petition of the ſaid Mr *Leigh* to them referred, and had come to ſeveral Reſolutions thereon; which were read, and agreed to by the Houſe, as follows:

That

That the *Perſons* who voted at the ſaid Election, whoſe Freeholds are queſtioned either by the Petitioner or ſitting Member, be examined on Oath before *John Naſh* the elder, *Thomas Scott*, *John Morton*, *Henry Watkins* and *Abner Naſh*, of the ſaid County of *Prince Edward*, Gentlemen; or any 3 of them, whether they be Freeholders or not, except ſuch of them as did ſwear to their Freeholds at the Election.

That the *Petitioner* and ſitting Member be at Liberty to examine Witneſſes before 13
the ſame Perſons as to the Freehold of any Perſon who voted at the ſaid Election, or ſhall ſwear to the ſame at the Examination; and that it be an Inſtruction to the Perſons before whom ſuch Examinations are taken to examine how long ſuch Voters have been in Poſſeſſion of, and paid Quitrents for, the Lands or Tenements in the Right of which they voted at the Election; and that they return the Depoſitions they ſhall take to the next Seſſion of Aſſembly.

That the *Petitioner* give to the ſitting Member 10 Days Notice of the Time and Place when and where he intends to examine his Witneſſes, alſo a Liſt in Writing of the Names of the Voters he intends to except to, diſtinguiſhing againſt each Name the ſeveral Heads of Exception; that the ſitting Member do the like to the Petitioner, and that the further Conſideration of the ſaid Petition ſhould be referred to the next Seſſion of Aſſembly.

The ſaid *Committee* alſo reported that they had had under their Conſideration the Petition of the ſaid Mr *Clack*, to them referred; and had come to ſeveral Reſolutions thereon, which were read, and agreed to by the Houſe, as follows:

That the *Perſons* who voted at the ſaid Election, whoſe Freeholds are queſtioned either by the Petitioner or ſitting Member, be examined on Oath before *John Willis*, *Nathaniel Edwards*, *Nicholas Edmunds*, *Drury Stith* and *John Maclin*, of the County of *Brunſwick*, Gentlemen, or any three of them, whether they be Freeholders or not, except ſuch of them as did ſwear to their Freeholds at the ſaid Election: That the Petitioner and ſitting Member be at Liberty to examine Witneſſes before the ſame Perſons, as to the Freehold of any Perſon who voted at the ſaid Election, although ſuch Perſons ſwore to their Freeholds at the Election, or ſhall ſwear to them at the Examination; and that it be an Inſtruction to the Perſons before whom ſuch Examinations are taken to examine how long ſuch Voters have been in Poſſeſſion of, and paid Quitrents for, the Lands or Tenements in Right of which they voted at the Election; and that they return the Depoſitions they ſhall take to the next Seſſion of Aſſembly.

That the *Petitioner* give to the ſitting Member 10 Days Notice of the Time and Place when and where he intends to examine his Witneſſes, alſo a Liſt in Writing of the Names of the Voters he intends to except to, diſtinguiſhing againſt each Name the ſeveral Heads of Exception; that the ſitting Member do the like to the Petitioner, and that the further Conſideration of the ſaid Petition ſhould be referred to the next Seſſion of Aſſembly.

And the ſaid *Committee* alſo reported that they had had under their Conſideration the Petition of the ſaid Mr *Peyton* to them referred, and had come to ſeveral Reſolutions thereon, which were read, and agreed to by the Houſe, as follows:

That the ſaid *Petition* be examined into before the Committee of the next Seſſion of Aſſembly: That the Petitioner do ſome Time before the next Seſſion of Aſſembly give to the ſitting Member a Liſt in Writing of the Names of the Voters he intends to except to, diſtinguiſhing againſt each Name the ſeveral Heads of Exception; that the ſitting Member do the like to the Petitioner, and that the further Conſideration of the ſaid Petition ſhould be referred to the next Seſſion of Aſſembly.

That a *Memorial* of Mr *William Peachey*, ſetting forth that he entered into the Service of this Colony as an Officer in the Regiment in *September* 1755, and continued in the Service until *February* 1760, during which Time, and eſpecially the 2 laſt Years, he ſpent a great deal more Money than the whole Amount of his Pay, which was not ſuffi- 14
cient to ſupport him in the Rank of the Commiſſion he bore; and praying the Conſideration of the Houſe therein, was preſented to the Houſe and read, and referred to the Conſideration of the next Seſſion of Aſſembly.

That

That the Houſe being informed that *Howſon Hooe*, Gentleman, Sheriff, and *Levin Powell*, Sub Sheriff, of the County of *Prince William*, did, in the Execution of their ſaid Office, at the late Election of Burgeſſes for the ſaid County, behave in moſt Inſtances of their Conduct, throughout the whole Election, illegally and unjuſtly, contrary to the Truſt repoſed in them, and acted with the greateſt Partiality in taking the Poll; the ſaid Information was referred to the Conſideration of the Committee of Privileges and Elections, to examine into the Allegations thereof, and report the ſame with their Opinions thereon, to the Houſe; and that no Report has been made thereon.

Alſo a *Petition* of ſundry Inhabitants of the Pariſh of *Truro*, in the County of *Fairfax*, in Oppoſition to a Petition for dividing the ſaid Pariſh, was preſented to the Houſe and read, and referred to the Conſideration of the next Seſſion of Aſſembly.

That a *Petition* of ſundry Inhabitants of the upper Part of the County of *King* and *Queen*, praying that the ſaid County may be divided, and Part thereof added to the County of *Caroline*, by certain Lines therein particularly expreſſed.

Alſo a *Petition* of ſundry Inhabitants of the County of *Eſſex*, praying that an Act may paſs for eſtabliſhing a Town on the Land of *Thomas Ley*, near *Leyton's* Warehouſe, in the ſaid County; were ſeverally preſented to the Houſe and read, and referred to the Conſideration of the next Seſſion of Aſſembly.

That the ſeveral *Claims* of *William Tomlinſon*, *Benjamin Clark*, *John Pulliam*, *Thomas Lane*, *Abel Stears*, *William Simpſon*, *John Chiles*, *James Swain*, *Michael Thomas*, *Thomas Fitzpatrick*, *Thomas Chew*, *William Ball*, *John Mallory*, *Levin Powell*, Aſſignee of *William Atterbury*, *Richard Ogleſby*, *John Gladdin*, *Nathaniel Crawley*, *Charles Reeves*, *William Symmonds*, *Joſeph Warwick*, *Samuel Meredith*, *Humphrey Burdett*, *Martin Vaughan*, *John Miller*, Junior, *Joſias Plunket*, *Thomas Smith*, *Ambroſe Bullard*, *Samuel Allen*, *Thomas Lloyd*, *Charles Burton*, *Jeſſe Burton*, *Almorene Bryan*, *Conſtantine Rock*, *Daniel Coleman*, *Zachariah Taylor*, *Thomas Toombs*, *William Hicks*,..... *Rogers*, *William Hicks*, *Henry Collier*, *Thomas May*, *John Pride*, *Richard Jones*, *William Pegram*, *Thomas Monday*, *Ambroſe Greenhill*, *William Keeling*, *John Vance*, *John Camp*, Executor of *George Camp*, and *John Coles*, for taking up Runaways, and for ſundry publick Services, were preſented to the Houſe and received, and referred to the Conſideration of the next Seſſion of Aſſembly.

It alſo appears to this *Committee* that all ſuch Propoſitions and Claims as were certified to the 3 laſt Seſſions of Aſſembly were referred to the Conſideration of this preſent General-Aſſembly.

Ordered, That the Petition of *James Wallace*, complaining of an undue Election and Return of Mr *William Wager* to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Elizabeth City;* alſo the Petition of Mr *John Leigh*, complaining of an undue Election and Return of Mr *Peter Legrand* to ſerve as a Burgeſs in this preſent General-Aſſembly for the County of *Prince Edward;* alſo the Petition of Mr *John Clack*, complaining of an undue Election and Return of Mr *Iſaac Row Walton* to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Brunſwick;* and the Petition of Mr *Henry Peyton*, complaining of an undue Election and Return of Mr *Henry Lee* to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Prince William;* ſeverally mentioned in the ſaid Report, be referred to the Committee of Privileges and Elections; That all publick Claims referred from the ſeveral Seſſions of Aſſembly, in the ſaid Report expreſſed, to the Conſideration of this Seſſion of Aſſembly; alſo the Petition of Mr *William Peachey*, therein ſet forth; be referred to the Committee of Claims.

That the *Petition* of ſundry Merchants on *Rappahannock* River, praying that a late Act of Aſſembly for eſtabliſhing the Rates of Pilotage, which expired ſome Time ago, alſo mentioned in the ſaid Report, be referred to the Committee of Trade; and that the ſeveral Propoſitions therein mentioned, referred to the Conſideration of this Seſſion of Aſſembly, be referred to the Committee of Propoſitions and Grievances.

A *Petition* of ſundry Inhabitants of the County of *Southampton*, ſetting forth that it will be very convenient for great Part of the Inhabitants of the ſaid County, *Nanſemond*

mond and *Iſle* of *Wight*, as well as to a great Number of the Inhabitants of *North Carolina*, trading to this Colony, if a Bridge was erected over *Nottoway* River, at Colonel *Jeffe Brown's* Landing; and praying that an Act may paſs for that Purpoſe.

Alſo a *Petition* of the Inſpectors of *Conſtance* Warehouſe, in the County of *Nanſemond*, ſetting forth that at the firſt Eſtabliſhment of that Inſpection their Salaries were ſettled at £30 *per Annum*, ſince which Time their Buſineſs is greatly increaſed; and praying the Houſe to make them ſuch Satiſfaction as ſhall ſeem reaſonable.

Alſo a *Petition* of the Inſpectors at *Blandford* Warehouſe, in the County of *Prince George*, ſetting forth that their preſent Salary is not ſufficient to enable them to perform the Duty of their Office; and praying ſuch further Allowance may be made them as to this Houſe ſhall appear reaſonable.

Alſo a *Petition* of *Thomas Wood*, ſetting forth that he lately contracted with the Veſtry of *St. Patrick's* Pariſh, in the County of *Prince Edward*, to build a Church for the ſaid Pariſh, and had carried on the Building to a conſiderable Amount, when by Accident it was burnt down, and totally deſtroyed, which has reduced the Petitioner to great Diſtreſs; that the Veſtry would very willingly relieve him, by making his Loſs a parochial Charge, were they empowered ſo to do; and prayng that an Act may paſs for that Purpoſe.

That a *Petition* of the Truſtees, and ſundry Inhabitants, of the Town of *Alexandria*, praying that an Act may paſs to enlarge the Bounds of the ſaid Town.

Alſo a *Petition* of the Inſpectors at Colonel *Robert Bolling's* Warehouſe, in the County of *Dinwiddie*, ſetting forth that the Quantity of Tobacco brought to the ſaid Warehouſe is of late greatly increaſed, and their Trouble of Courſe augmented; and praying that their Salaries may be enlarged.

Alſo a *Petition* of the Proprietors and Inhabitants of the Town of *Blandford*, in the County of *Prince George*, ſetting forth that the ſaid Town ſince its Eſtabliſhment, hath been conſiderably improved, and would more and more improve, and the Trade thereof be greatly increaſed, if Truſtees were appointed for directing and regulating the ſaid Town; the Proprietors obliged to build on their Lots, and the Inhabitants prevented from raiſing and keeping Hogs at large within the Limits of the ſaid Town; and praying that an Act may paſs for that Purpoſe, were ſeverally preſented to the Houſe, and read.

Ordered, That the ſaid Petition be referred to the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof reſpectively and report the ſame, with their Opinions thereon to the Houſe.

A *Meſſage* from the Governour was delivered by Mr *Walthoe*. 16

Mr *Speaker*,

I am commanded by the Governour to acquaint this Houſe that his Honour is now ready to receive their Addreſs in the Council Chamber.

Accordingly Mr *Speaker*, with the Houſe, went up; and being returned, reported that he, with the Houſe, had attended the Governour in the Council Chamber, and preſented the Addreſs of this Houſe to him, to which he was pleaſed to anſwer:

Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes*,

Your Expreſſions of Loyalty and Fidelity to his Majeſty give me the greateſt Satiſfaction, for which I return you my hearty Thanks; and I make no Doubt but your Aſſurances that your future Actions ſhall be influenced by theſe Motives will be productive of freſh Proofs of that Zeal in his Service for which your former Conduct has obtained ſo much Reputation and Honour.

And then the Houſe adjourned until Tomorrow Morning 11 *o'Clock.*

Saturday

Saturday, the 6th of November. 3 Geo. III. 1762.

A New *Member* having taken the Oaths appointed to be taken by Act of Parliament, inſtead of the Oaths of Allegiance and Supremacy, and taken and ſubſcribed the Oath of Abjuration, and alſo ſubſcribed the Teſt, was admitted to his Place in the Houſe.

Ordered, That Mr *Landon Carter* be added to the Committee of Privileges and Elections, Propoſitions and Grievances, and Courts of Juſtice; Mr *Parramore* and Mr *Thomas Johnſon* to the Committee of Claims; Mr *Nelſon* to the Committee of Propoſitions and Grievances; Mr *Henry Lee* to the Committee of Propoſitions and Grievances, and Courts of Juſtice; and Mr *Burwell* to the Committee of Privileges and Elections.

Several *Claims* of *Gibb Chavis*, *Henry Batte*, Jun. *Thomas Harriſon*, *Robert Reeves* and *Iſaac Anderſon*, for taking up Runaways therein mentioned, were ſeverally preſented to the Houſe and received, and referred to the Committee of Claims.

A *Petition* of ſundry Inhabitants of *Elizabeth City* County, in Oppoſition to a Petition for building a Bridge over *Back* River, at the Place in the ſaid Petition mentioned; and praying that the ſaid Petition be rejected, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinions thereon, to the Houſe.

A *Petition* of *Robert Hunnicutt*, of the County of *Prince George*, ſetting forth that a Slave belonging to the Petitioner having committed a Murder was outlawed, and afterwards killed by the *Nottoway* Indians; and praying to be allowed for the ſaid Slave, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report their Opinions thereon to the Houſe.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For the more effectual keeping the public Roads and Bridges in Repair; and it is referred to Mr *Bland* and Mr *Landon Carter* to prepare and bring in the ſame.

17 A *Claim* of *John Williams*, for taking up a Runaway therein mentioned.

Alſo ſundry *Accounts* from divers Perſons of the County of *Bedford*, for Proviſions furniſhed the Militia drawn out into actual Service, and for other Purpoſes therein mentioned, were ſeverally preſented to the Houſe and received, and referred to the Conſideration of the Committee of Claims.

A *Petition* of *James Callaway*, of the County of *Bedford*, ſetting forth that in the Year 1758 a Party of *Cherokee* Indians, on their Return Home from *Winchester*, came into his Houſe, and forcibly took from thence a Rifle Gun, of the Value of £4, together with a Shot Bag, Powder Horn and a Snaffle Bridle, to the Value of 7. 6*s*. and hath never received any Satiſfaction for the ſame; and praying the Houſe to take his Caſe into Conſideration, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report their Opinion thereon to the Houſe.

A *Petition* of *Nicholas Davis*, of the County of *Bedford*, praying that a Ferry may be eſtabliſhed acroſs the *Fluvannah* River, from the Petitioner's Land, near the Mouth of *Tuckahoe* Creek, in the County of *Bedford*, to his Land on the Oppoſite Shore, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances that they examine into the Allegations of the ſaid Petition, and report their Opinion thereon to the Houſe.

Ordered

Ordered, That the Committee of Propoſitions and Grievances be diſcharged from proceeding any further in their Inquiry into the ſeveral Inſpectors Petitions for Increaſe of their Salaries, and the Petitions do lie on the Table.

Three *Petitions* of ſundry Inhabitants of the Counties of *Cheſterfield*, *Dinwiddie*, *Amelia* and *Cumberland*, ſetting forth that they have laboured under the greateſt Hardſhips from the Scarcity of Griſt Mills, until they were relieved by the few lately built on the main Stream of *Appomattox* River; and as the late Act of Aſſembly concerning Mill Dams, &c. has a Tendency to deprive the Petitioners the Advantage attending the Situation of the ſaid Mills, by obliging the Owners to cut their Dams, ſo that in dry Weather they will be uſeleſs, and deterring others from building Mills thereon, that no Fiſh can be caught in the ſaid River but by Slopes or Mill Dams; and ſhould they be deſtroyed, no Benefit can be obtained from the few Fiſh in the ſaid River; and praying that every Perſon keeping a Mill Dam, or Slope, may keep a Lock, to facilitate the Navigation of the ſaid River, allowing the Proprietors of the ſame to take ſuch Toll from loaded Canoes as may repay the Expenſes thereof, and that the former law may be repealed, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine the Allegations thereof reſpectively, and report their Opinion thereon to the Houſe.

And then the Houſe adjourned until Monday Morning 11 *o'Clock.*

Monday, the 8th of November, 3 Geo. III. 1762.

ORDERED, That Mr *Woodbridge* be added to the Committee of Privileges and Elections, and Propoſitions and Grievances.

Several *Claims* of *Peter Harwood*, *William Rankins* and *Henry Williams* for taking up Runaways therein mentioned.

Alſo ſundry *Accounts* of *William Ramſay*, for Proviſions furniſhed the Militia drawn out into actual Service; were ſeverally preſented to the Houſe and received, and referred to the Conſideration of the Committee of Claims. 18

A *Petition* of *Joſeph Stewart* and *Michael Robinſon*, Inſpectors at *Royſton's* Warehouſe, in the Town of *Frederickſburg*, praying that their Salaries may be augmented, was preſented to the Houſe and read, and ordered to lie on the Table.

A *Petition* of *Chriſtopher Lawſon*, of the County of *Richmond*, praying to be allowed for a Slave who was outlawed and killed, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinions thereon, to the Houſe.

On a *Motion* made,

Ordered, That an Addreſs be made to his Honour the Governour that the Guard appointed for the Magazine in the City of *Williamſburg* be diſcontinued, it being at this Time, in the Opinion of this Houſe, an unneceſſary Expenſe to the Country; and that Mr *Bland* do wait on him with the ſaid Addreſs.

Sundry *Accounts* from divers Perſons of the Counties of *Auguſta* and *Lancaſter*, for *Proviſions* furniſhed the Militia drawn out into actual Service, were ſeverally preſented to the Houſe and received, and referred to the Conſideration of the Committee of Claims.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For regulating the Fees and Charges of Perſons practiſing in Phyſick, Surgery and Midwifery, in this Colony; and it is referred to Mr *Landon Carter* and Mr *Richard Henry Lee*, to prepare and bring in the ſame.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For ſettling the Bounds between the Pariſhes of *Martin Brandon* and *Briſtol*, in the County of *Prince George;* and it is referred to Mr *Bland* to prepare and bring in the ſame.

Mr

Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that the Committee had had under their Conſideration ſeveral Propoſitions and Petitions from ſeveral Counties to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and are as follow:

Reſolved, That it is the Opinion of this Committee that the Petition of *William Ingles*, praying that a Ferry may be eſtabliſhed from his Land over the *New* River, in the County of *Auguſta*, near the *Dunkers* Bottom, to the oppoſite Shore is reaſonable.

Reſolved, That it is the Opinion of this Committee that ſo much of the Petition of *John Buchanan* in Oppoſition thereto, and praying that a Ferry may be eſtabliſhed from his Land over the ſaid River, about one Mile and a Half higher up than the Land of the ſaid *Ingles*, in the ſaid County, be rejected.

Reſolved, That it is the Opinion of this Committee that the Reſidue of the Petition of the ſaid *John Buchanan*, praying that Ferries may be eſtabliſhed over the ſaid River, as well from his own Land as the Land of the ſaid *William Ingles*, and that they may both be obliged to clear and keep in Repair the Roads leading thereto reſpectively, at their own Expenſe, be rejected.

19 *Reſolved*, That it is the Opinion of this Committee that the Petition of *Thomas Wood* praying that an Act may paſs to empower the Veſtry of the Pariſh of *St. Patrick*, in the County of *Prince Edward*, to levy Money on the Pariſhioners of the ſaid Pariſh, to make him Satiſfaction for the Expenſes he has been at in building a Church, which was burnt down before it was finiſhed, is reaſonable.

Reſolved, That it is the Opinion of this Committee that the Petition of ſundry Inhabitants of the Counties of *Southampton*, *Nanſemond* and *Iſle of Wight*, praying that an Act may paſs to appoint and empower Truſtees to take and receive Subſcriptions for building a Bridge from the Land of *Jeſſe Brown*, in the County of *Southampton*, over *Nottoway* River, is reaſonable.

Reſolved, That it is the Opinion of this Committee that the Petition of *John Bailey*, Guardian of *Jeremiah Garland Bailey*, Son and Heir of *Stephen Bailey*, deceaſed, and other Freeholders and Houſekeepers in the County of *Weſtmoreland*, praying that an Act may paſs for removing the publick Warehouſes on *Yeocomico* River, from the Place where they now ſtand, to a Place called the *New Landing*, on the ſaid River is reaſonable.

Reſolved, That it is the Opinion of this Committee that the Petition of ſundry Inhabitants of the County of *Hampſhire*, praying that an Act may paſs for eſtabliſhing a Town on the Land of the Right Hon. the Lord *Fairfax*, at a Place called *Tucker's* Plantation, in the ſaid County, is reaſonable.

Reſolved, That it is the Opinion of this Committee that the Petition of ſundry Inhabitants of the County of *Eſſex*, praying that an Act may paſs for eſtabliſhing a Town on the Land of *Thomas Leigh*, an Infant, near *Layton's* Warehouſe, in the ſaid County, be rejected.

Reſolved, That it is the Opinion of this Committee that the Memorial of Colonel *William Peachey*, praying that he may be allowed ſome Compenſation for the Expenſes of keeping a Table while he had the Command of the Frontier Battalion, in the Service of this Colony, is reaſonable; and that he ought to be allowed the Sum of £350, as a Satiſfaction for his ſaid Expenſes.

Reſolved, That it is the Opinion of this Committee that ſo much of the Petition of ſundry Inhabitants of the Counties of *New Kent* and *Charles City*, praying that the Act of Aſſembly, entitled, *An Act*[1] *concerning Strays*, may be amended, is reaſonable.

The *ſix* firſt Reſolutions being read a ſecond Time, and the Queſtion ſeverally put that the Houſe agree thereto,

Reſolved in the Affirmative.

The *five* laſt Reſolutions being alſo read a ſecond Time, and the Queſtion put that the Houſe agree thereto,

It paſſed in the Negative.

Ordered, That the ſame be recommitted to the ſaid Committee

Ordered

[1] Hening, VI, p. 133.

Ordered, That it be an Inſtruction to the ſaid Committee to prepare and bring in a Bill or Bills purſuant to the 1ſt, 4th, 5th and 6th, Reſolutions.

Ordered, That the Conſideration of the Governor's Speech be put of until Tomorrow.

A *Petition* of *John Carlyle*, ſetting forth that *Robert Dinwiddie*, Eſq; late Governour of this Colony, by Commiſſion under the Seal of the Colony, bearing the Date the 27th Day of *January*, 1754, appointed the Petitioner Commiſſary of Proviſions and Stores for an Expedition then intended to the River *Ohio*, with full Power and Authority to appoint ſuch and ſo many Deputies to be aiding and aſſiſting, for the more expeditious tranſporting the ſaid Proviſions and Stores to the aforeſaid Fort, as ſhould be found expedient for the Service: That he took on him the ſaid Office of Commiſſary, and appointed one *William Cox* of *Winchester* one his Deputies; that the ſaid *Cox* ſerved as ſuch until his ordinary Wages amounted to £35, which the Petitioner hoped would have been paid him by the Committee appointed to ſettle and adjuſt ſuch Claims; but by ſome Means or other the Payment was neglected, and the ſaid *Cox* hath ſince brought Suit in the General Court, and recovered a Judgment againſt him for the ſaid £35, and Coſts of Suit, amounting to 470 lbs. of Tobacco, and 50*s*. and praying the Conſideration of the Houſe, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame with their Opinions thereon, to the Houſe.

Mr *Bland*, from the Committee of Privileges and Elections, reported that the Committee had had under their Conſideration the Petition of Mr *Henry Peyton*, to them referred, complaining of an undue Election and Return of Mr *John Baylis* and Mr *Henry Lee* to ſerve as Burgeſſes in this preſent General Aſſembly for the County of *Prince William;* and had come to the following Reſolution thereon, which he read in his Place, and then delivered in at the Table, where the ſame was again twice read, and agreed to by the Houſe, as follows:

Reſolved, That it is the Opinion of this Committee that the Matter of the ſaid Petition be examined into before the Committee on *Tueſday* the 30th Inſtant, and that in the mean Time as well the Petitioner as the ſitting Member, be at Liberty to examine and take the Depoſitions of ſuch of their Witneſſes reſpectively as are ſick, infirm, or unable to travel, giving each other reaſonable Notice of the Time and Place appointed for taking the ſame.

Mr *Bland* alſo reported that the ſaid Committee had had under their Conſideration the Complaint againſt *Howſon Hooe*, Sheriff, and *Levin Powell*, Sub Sheriff, of the ſaid County of *Prince William*, for Mal-Practices in the Execution of their Offices at the Election of Burgeſſes for the ſaid County of *Prince William*, and had come to a Reſolution thereon.

Reſolved, That the Matter of the ſaid Information be heard before the Committee on *Tueſday* the 30th Inſtant.

And then the Houſe adjourned until Tomorrow Morning 11 *o'Clock.*

Tuesday, the 9th of November, 3 Geo. III. 1762.

A *Claim* of *Martin Harding*, of the County of *Fauquier*, for Proviſions furniſhed ſundry tributary *Indians*.

Alſo 2 *Accounts* of *James Gunn*, for the ſame Service.

Alſo an *Account* of *John Camp*, Executor of *George Camp*, deceaſed, for Proviſions furniſhed by the Teſtator for ſundry tributary *Indians*, by Order of his Honour the Governour, were ſeverally preſented to the Houſe, and received.

Ordered, That the ſaid Claim and Accounts be referred to the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinions thereon, to the Houſe.

Sundry

21 Sundry *Claims* of *George Murrell* and *William Trotter*, *Hugh Mofs*, *Gerard Ellyfon*, *John Carter*, *Zachariah Allen*, *Edward Cary*, *William Harrifon* and *Mofes Dorden*, for taking up feveral Runaways therein mentioned, were prefented to the Houfe and read, and referred to the Confideration of the Committee of Claims.

A *Petition* of *Henry Williams*, fetting forth that in the Year 1760 he enlifted (under recruiting Inftructions from his Honour the Governour) 20 Men, to each of whom he advanced the Bounty of £10, allowed by Law; that 4 of the faid Recruits were refufed, for whom the Paymafter hath refufed to reimburfe the Bounty, and the Charges attending the raifing and fubfifting the faid 4 Men; and praying the Confideration of the Houfe therein, was prefented to the Houfe and read.

Ordered, That the faid Petition be referred to the Confideration of the Committee of Claims; that they examine into the Allegations thereof, and report the fame, with their Opinions thereon, to the Houfe.

A *Petition* of fundry Inhabitants of the County of *Amherft*, praying that a Ferry may be eftablifhed over the *Fluvannah* River, from the Land of *Cornelius Thomas*, near *Mill* Creek, on the North Side of the faid River, to the Land of *Nicholas Davis*, on the oppofite Shore.

Ordered, That the faid Petition be referred to the Confideration of the Committee of Propofitions and Grievances; that they examine into the Allegations thereof, and report the fame, with their Opinions thereon, to the Houfe.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To oblige all Captains or Commanders of Veffels, taking in Tobacco or Freight in this Colony, to make Publication of the Freight they fhall fail at before their Loadings fhall be obtained; and it is referred to Mr *Landon Carter* to prepare and bring in the fame.

A *Petition* of feveral Ordinary Keepers and Freeholders of the Town of *York*, fetting forth that the Act, entitled, *An Act*[1] *for regulating Ordinaries, and Reftraint of Tippling Houfes*, as it now ftands, is becoming grievous and burthenfome, laying the Petitioners under a Neceffity either of affronting their beft Cuftomers, and thereby lofing their Bufinefs, or being in Danger of Ruin by the Lofs of their Debts, which they can neither hinder others from contracting with them, nor afterwards receive by a due Courfe of Law; and praying that the faid Act may be amended, was prefented to the Houfe and read.

Ordered, That the faid Petition be referred to the Confideration of the Committee of Propofitions and Grievances; that they do examine into the Allegations thereof, and report the fame, with their Opinions thereon, to the Houfe.

Sundry *Accounts* for Provifions and other Neceffaries furnifhed the Forces in the Service of this Colony, and for tributary *Indians*, in their marching through the Country, were prefented to the Houfe and read, and referred to the Confideration of the Committee of Claims.

A *Petition* of *Urfilla Rogers*, praying fhe may be allowed for a Horfe fhot by the *Cherokee* Indians in the Year 1759, on their March down to Fort *Cumberland*, valued at £7, was prefented to the Houfe and read.

Ordered, That the faid Petition be referred to the Confideration of the Committee of Claims; that they do examine into the Allegations thereof, and report the fame, with their Opinions thereon, to the Houfe.

A *Petition* of *Robert M'Coun*, late a Soldier in the *Virginia* Regiment, praying an Allowance may be made him for the Lofs of his Arm, in the Service of this Colony, was prefented to the Houfe and read.

Ordered, That the faid Petition be referred to the Confideration of Mr *Cary* and Mr *Fleming;* that they do examine into the Allegations thereof, and report the fame, with their Opinions thereon, to the Houfe.

22 Mr *Attorney*, from the Committee of Propofitions and Grievances, reported that the Committee had had under their Confideration divers Propofitions and Petitions from feveral

[1] Hening, VII, p. 595.

ſeveral Counties, to them referred; and had come to ſeveral Reſolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and are as follows:

Reſolved, That it is the Opinion of this Committee that the Petition of ſundry Inhabitants of the County of *Eſſex*, praying that an Act may paſs for eſtabliſhing a Town on the Land of *Thomas Lee*, an Infant, near *Layton's* Warehouſe, in the ſaid County, be rejected.

Reſolved, That it is the Opinion of the Committee that ſo much of the Petition of ſundry Freeholders and Inhabitants of the Counties of *Cheſterfield*, *Dinwiddie*, *Amelia* and *Cumberland*, praying that every Perſon keeping a Mill Dam or Slope on the River *Appomattox* may be obliged to keep a Lock therein, to facilitate the Navigation of the ſaid River; and that the Act of Aſſembly made in the firſt Year of his preſent Majeſty's Reign, entitled, *An Act*[1] *to oblige the Owners of Mills, Hedges, or Stone Stops, to make Openings or Slopes therein, for the Paſſage of Fiſh*, may be repealed, be rejected.

Reſolved, That it is the Opinion of this Committee that the Reſidue of the ſaid Petition, praying ſuch other Relief as may be moſt for the Advantage of the Publick, and their Eaſe, is reaſonable; and that the ſaid Act, entitled, *An Act*[2] *to oblige the Owners of Mills, Hedges, or Stone Stops, on ſundry Rivers therein mentioned, to make Openings or Slopes therein, for the Paſſage of Fiſh*, ought to be amended.

Reſolved, That it is the Opinion of this Committee that ſo much of the Petition of ſundry Inhabitants of the Counties of *New Kent* and *Charles City*, praying that the Act of Aſſembly, entitled, *An Act*[3] *concerning Strays*, be amended, is reaſonable.

Reſolved, That it is the Opinion of this Committee that the Petition of ſundry Inhabitants of the Pariſh of *Accomack*, praying that the ſaid Pariſh may be divided, by a Line to be run acroſs the Middle of the Counties, from Sea to Bay, is reaſonable.

Reſolved, That it is the Opinion of this Committee that the Petition of ſundry other Inhabitants of the ſaid Pariſh, in Oppoſition thereto, be rejected.

M[r] *Attorney* alſo reported that the ſaid Committee had had under their further Conſideration the Memorial of Colonel *William Peachey*, to them recommitted, repreſenting That he had been engaged in a military Life, in the Service of this Country, from *September* in the Year 1755, which was ſoon after the unhappy Defeat of General *Braddock;* from which Time, until *February* 1760, he faithfully ſerved, for the Truth of which he appeals to his Commanding Officers: And that it was not his Fault that he did not continue in the Service, having offered his Service as ſoon as he underſtood that 700 Men were to be raiſed for the *Cherokee* Expedition; but being told there would be no Vacancy above a Captaincy, he could not accept of ſuch a Commiſſion, having ſerved in a much higher Rank.

That during the Time he was in the Service his Affairs ſuffered much at home, either through Negligence or Miſmanagement.

That the Nature of the Service in which he was generally engaged, eſpecially the 2 laſt Years, was ſuch as made it impoſſible for him to ſubſiſt on his Pay, and appear in the Rank he bore.

That his Eſtate was conſiderably impaired, and he ſuffered great Loſſes, during the Time of his ſaid Service; and praying ſuch Reparation of his Loſſes, and Compenſation for his extraordinary Expenſes, as may be thought reaſonable; and have come to the following Reſolution thereon: 23

Reſolved, That it is the Opinion of this Committee that the ſaid *William Peachey* ought to be allowed the Sum of £350, for extraordinary Services and Expenſes.

The *ſix* firſt Reſolutions being read a ſecond Time, and the Queſtion ſeverally put that the Houſe agree thereto,

Reſolved in the Affirmative.

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[1] Hening, VII, p. 409. [2] *Ibid.*, VII, p. 409 [3] *Ibid.*, VI, p. 133.

The *laſt* Reſolution, reſpecting Colonel *William Peachey's* Allowancce being alſo read a ſecond Time, and the Queſtion put that the Houſe agree thereto,

It paſſed in the Negative.

On a *Motion* made,

Reſolved, That the ſaid Colonel *William Peachey* be allowed 1 Year's Pay, in Conſideration of his paſt Services.

Ordered, That the ſaid Reſolve be engroſſed, and that Mr *Landon Carter* do carry it up to the Council for their Concurrence.

Mr *Cary*, from the Committee of publick Claims, reported that the Committee had had under their Conſideration the Petitions of *Robert Hunnicutt* and *Chriſtopher Lawſon*, to them referred; and had come to ſeveral Reſolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follows:

Reſolved, That the Allegations of the Petition of the ſaid *Robert Hunnicutt* are true, and that he ought to be allowed the Sum of £45, for the Slave in his ſaid Petition mentioned.

Reſolved, That the Allegations of the Petition of the ſaid *Chriſtopher Lawſon* are true, and that he ought to be allowed the Sum of £80, for the Slave in his ſaid Petition mentioned.

Ordered, That it be an Inſtruction to the Committee of Claims to make the ſeveral Allowances in the Book of Claims, agreeable to the ſaid Reſolutions.

A *Petition* of ſundry Inhabitants of the Counties of *Dinwiddie*, *Amelia*, *Brunſwick*, *Lunenburg* and *Halifax*, praying that a new Inſpection of Tobacco may be eſtabliſhed on the Land of *Robert Bolling*, Gentleman, between the Towns of *Peterſburg* and *Blandford*, which will have every poſſible Advantage of a fine Situation, a good Road, and very convenient to a ſafe Landing, and that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinions thereon, to the Houſe.

The *Order* of the Day being read for the Houſe to take into Conſideration the Governour's Speech.

Ordered, That the Conſideration of the ſaid Speech be put off until Tomorrow.

And then the Houſe adjourned until Tomorrow Morning 11 *o'Clock.*

Wednesday, the 10th of November, 3 Geo. III. 1762.

A *Member* returned upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, inſtead of the Oaths of Allegiance and Supremacy, and taken and ſubſcribed the Oath of Abjuration, and alſo ſubſcribed the Teſt, was admitted to his Place in the Houſe.

24 Two *Claims* of *James Tomlinſon* and *William Hunter*, for taking up Runaways therein mentioned, was preſented to the Houſe and received, and ordered to be referred to the Committee of Claims.

Alſo an *Account* of *Cary Seldon*, for 4 Years Pay as a Lookout, was preſented to the Houſe and received.

Ordered, That the ſaid Account be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinions thereon, to the Houſe.

On a *Motion* made,

Ordered, That Mr *Lee* have Leave to withdraw his Petition, complaining of an undue Election and Return of Mr *LeGrand*, to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Prince Edward;* and that the Committee of Privileges and Elections be diſcharged from proceeding any further on the ſaid Petition.

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Mr *Bland* preſented to the Houſe, according to Order, a Bill For the more effectual keeping the publick Roads and Bridges in Repair; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Landon Carter* alſo preſented to the Houſe, according to Order, a Bill To oblige all Captains or Commanders of Veſſels, taking in Tobacco on Freight in this Colony, to make Publication of the Freight they ſhall ſail at before their Loadings ſhall be obtained; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

Three *Petitions* of the Inſpectors at *Rocky-Ridge*, *John Bolling's* and *Oſborne's* Warehouſes, praying that their Salaries may be increaſed, was preſented to the Houſe and read.

Ordered, That the ſaid Petitions do lie on the Table.

The *Order* of the Day being read for the Houſe to take into Conſideration the Governour's Speech,

Reſolved, That this Houſe will reſolve itſelf into a Committee on the ſaid Speech.

Ordered, That the ſeveral Letters laid before the Houſe, by the Governour's Direction, be referred to the Conſideration of the ſaid Committee.

Then the Houſe reſolved itſelf into a Committee on the ſaid Speech and Letters; and after ſome Time ſpent therein Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had had the ſaid Speech and Letters under their Conſideration, and had come to ſeveral Reſolutions thereon, which they had directed him to report to the Houſe; and he read the ſame in his Place, and then delivered it in at the Table, where the ſame was again twice read, and agreed to by the Houſe, as follows:

Reſolved, That the Gold Coin of the Empire paſſing in this Colony ought to be regulated.

Reſolved, That the Act of Aſſembly made in the 4th Year of the late Queen *Anne*, entitled, *An Act*[1] *declaring the Negro, Mulatto and* Indian *Slaves, within this Dominion, to be real Eſtate*, which was afterwards explained by one other Act, paſſed in the 1ſt Year of the late King's Reign, entitled, *An Act*[2] *to explain and amend the Act for declaring the Negro, Mulatto and* Indian, *Slaves, within this Dominion, to be real Eſtate*, ought to be repealed.

Reſolved, That the Act, entituled, *An Act*[3] *for the Diſtribution of Inteſtates Eſtates, declaring Widows Rights to their deceaſed Huſbands Eſtates, and for ſecuring Orphans Eſtates*, ought to be amended.

Ordered, That a Bill or Bills be brought in purſuant to the ſaid Reſolutions; and it is referred to Mr *Attorney*, Mr *Wythe*, Mr *Bland* and Mr *Richard Henry Lee*, to prepare and bring in the ſame.

Mr *Attorney* alſo informed the Houſe that the Committee, not having Time to go through the Governour's Speech, had directed him to move for Leave to ſit again.

Reſolved, That this Houſe will again reſolve itſelf into a Committee on the ſaid Speech Tomorrow.

Mr *Cary*, from the Perſons to whom the Petition of *Robert M'Coun* was referred, reported that they had examined into the Allegations thereof, and found the ſame to be true, and have come to the following Reſolutions thereon; which he read in his Place, and then delivered it in at the Table, where it was again twice read, and agreed to by the Houſe, as follows:

Reſolved, That the ſaid *Robert M'Coun* be allowed by the Publick the Sum of £10, for his preſent Relief, and the further Sum of £5 *per Annum* during Life, in Conſideration of the Loſs of his Arm, and in Reward for his Services.

Ordered, That Mr *Wilſon* and Mr *Baſſet* be added to the Committee of Propoſitions and Grievances, Mr *Gray* and Mr *Baylis* to the Committee of Claims, and Mr *Baylor* to the Committees of Privileges and Elections, and Propoſitions and Grievances.

A *Claim* of *Adrian Anglin*, for taking up a Runaway therein mentioned.

Alſo ſeveral *Militia* and *Indian* Accounts, from the County of *Buckingham*, were ſeverally preſented to the Houſe and received, and referred to the Conſideration of the Committee of Claims.

And then the Houſe adjourned until Tomorrow Morning 11 *o'Clock.*

Thurſday

[1] Hening, III, p. 333. [2] *Ibid.*, IV, p. 222. [3] *Ibid.*, IV, p. 222.

Thursday, the 11th of November, 3 Geo. III. 1762.

MR *Cary*, from the Committee of Claims, reported that the Committee had had under their Conſideration ſeveral Petitions to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follows:

Reſolved, That the Petition of *John Carlyle*, Commiſſary of Proviſions and Stores for an Expedition to the *Ohio*, to be reimburſed a Judgment and Coſts recovered againſt him by *William Cox*, his Deputy, be rejected.

Reſolved, That the Petition of *Henry Williams* is reaſonable and that he ought to be allowed the Sum of £48. 16*s*. to reimburſe him the Bounty Money and Subſiſtence of 4 Recruits enliſted by him for the *Cherokee* Expedition, and delivered at the Place of Rendezvous, where they were refuſed by the then Commanding Officer; it appearing to this Committee the ſaid Recruits were agreeable to the ſaid Officer's recruiting Inſtructions.

Reſolved, That the Petition of *Urſilla Rogers*, to be allowed for a Horſe ſhot by the *Cherokee* Indians, is reaſonable; and that ſhe ought to be allowed the Sum of £7 for the ſaid Horſe.

Reſolved, That the Petition of *James Callaway*, to be allowed for Goods ſtolen from him by the *Cherokee* Indians, be rejected.

Ordered, That it be an Inſtruction to the Committee of Claims to make the ſeveral Allowances in the Book of Claims, purſuant to the 2d and 3d Reſolutions.

Mr *Benjamin Harriſon*, from the Committee of Trade, reported that the Committee had had under their Conſideration the Petition of ſundry Merchants on *Rappahannock* River, to them referred, complaining that they are greatly impoſed on by Pilots exact-
26 ing exorbitant Fees, and praying that an Act may paſs for regulating the Rates of Pilotage, and had come to the following Reſolution thereon; which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe, as follows:

Reſolved, That the ſaid Petition is reaſonable.

Ordered, That a Bill or Bills be brought in purſuant to the ſaid Reſolution, and it is referred to the Committee of Trade to prepare and bring in the ſame.

A *Petition* of *John Buchanan*, praying to be allowed ſome Compenſation for his Services in purchaſing Proviſions in the Year 1759, by Order of Capt. *Read*, for a Number of *Cherokee* Indians then coming down to *Auguſta*, having never received any Satiſfaction for the ſame.

Alſo ſeveral *Claims* of ſundry Inhabitants of the Counties of *Bedford* and *Amelia*, for Proviſions and other Neceſſaries furniſhed the Militia of the ſaid Counties, ordered out into actual Service, were ſeverally preſented to the Houſe and received.

Ordered, That the ſaid Petition and Claims be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinions thereon, to the Houſe.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee, to take into their further Conſideration the Governour's Speech.

Reſolved, That this Houſe will again reſolve itſelf into the ſaid Committee on *Tueſday* next.

And then the Houſe adjourned until Tomorrow Morning 11 *o'Clock.*

Friday

Friday, the 12th of November. 3 Geo. III. 1762.

MR *Bland* preſented to the Houſe, according to Order, a Bill For ſettling the Bounds between the Pariſhes of *Martin's*, *Brandon* and *Briſtol*, in the County of *Prince George;* and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Attorney*, from the Committee appointed, preſented to the Houſe according to Order, a Bill To empower the Veſtry of the Pariſhes of *St. Patrick*, in the County of *Prince Edward*, to levy for *Thomas Wood* a reaſonable Satiſfaction for his Expenſes in building a Church there, which was burnt down before it was finiſhed; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Bland*, from the Committee of Privileges and Elections, reported that the Committee had had under their further Conſideration the Petition of Mr *James Wallace*, complaining of an undue Election and Return of Mr *William Wager* to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Elizabeth City*, and had fully heard as well the Petitioner as the ſitting Member by his Counſel; and had agreed on a Report, and come to ſeveral Reſolutions thereon, as follow:

Your *Committee* beg Leave to inform the Houſe that it appears to them that *Signe Pariſh*, who voted for the ſitting Member at the ſaid Elections, on the 3d Day of *May*, 1759, held 25 Acres of Land in the ſaid County, but had on that Day agreed to convey to *Edward Pariſh* about 6 Acres thereof, for the Conſideration of £ 40, and gave his Bond to the ſaid *Edward Pariſh*, in the Penalty of £ 80, for that Purpoſe, and put him in Poſſeſſion thereof; and it was at the ſame Time agreed between them that the ſaid *Signe Pariſh* might take Poſſeſſion of the ſaid 6 Acres of Land, at any Time within 3 Years, on making good Title to the ſaid *Edward* of any other 6 Acres of the ſaid Land, or forfeiting the Penalty of his Bond whenever he ouſted the ſaid *Edward Pariſh:* That 27
the ſaid *Edward Pariſh* paid £ 10, Part of the ſaid £ 40, the Conſideration Money, and lived in a Houſe on the ſaid Land 2 Years, and had been in Poſſeſſion near 3 Years before the ſaid Election; but that the ſaid *Signe Pariſh* hath conſtantly paid the Quitrents for the whole 25 Acres. It alſo appears that the ſaid *Signe Pariſh* hath ſworn that he would not have taken the Oath preſcribed by Law at the Time of his giving his Vote at the ſaid Election, giving his Reaſon that as he had agreed to convey 6 Acres of the ſaid Land to the ſaid *Edward Pariſh*, he was dubious whether he had a Right to vote, having received £ 10 of the Conſideration Money as aforeſaid, and allowed 3 Years for Payment of the Reſidue.

Reſolved, That it is the Opinion of this Committee that the ſaid *Signe Pariſh* had no Right to vote for Burgeſſes at the ſaid Election.

It alſo appears to your *Committee* that *Samuel Dewberry*, Father of *Samuel Dewberry*, Junior, who voted for the ſitting Member at the ſaid Election, held a Tract of Land in the ſaid County of *Elizabeth City*, in Right of his Wife, Mother of the ſaid *Samuel* the younger, on whom it was entailed, containing about 190 Acres; and that a few Years before the ſaid Election, on the Marriage of the ſaid *Samuel* the younger, his ſaid Mother being then dead, his Father made him a verbal Gift, and put him into Poſſeſſion of about 145 Acres, Part of the ſaid 190 Acres, on Condition that he would build on and improve the ſame, which he had accordingly done, and has ever ſince paid Quitrents for the ſame, and hath alſo leaſed out a Tenement on Part of the ſaid Land, and received the Rents for the ſame; That the ſaid *Samuel Dewberry* the elder had no other Lands in the ſaid County, and that both he and his ſaid Son voted at the ſaid Election in Right of their reſpective Parts of the ſaid 190 Acres.

Reſolved, That it is the Opinion of this Committee that the ſaid *Samuel Dewberry* the younger had no Right to vote for Burgeſſes at the ſaid Election.

It likewiſe appeared to your *Committee* that *James Cunningham*, who voted for the ſitting Member at the ſaid Election, gave his Vote in Right of his Wife's Dower of

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and in a certain undivided Tract of Land, of which her former Huſband *Bertrand Servant* had died ſeized and poſſeſſed: That *James Servant*, Father of the ſaid *Bertrand* died inteſtate, ſeized of a Tract of Land in the ſaid County, the Quantity whereof is unknown, which deſcended to the ſaid *Bertrand Servant*, his Heir, who afterwards intermarried with *Elizabeth*, now the Wife of the ſaid *James Cunningham;* and in his Lifetime he ſold 95 Acres, Part of the ſaid Lands, to *Robert Brough;* and 100 Acres of her Part thereof, to *Cary Seldon;* and 40 Acres, of her Part of the ſame Tract, to one *John Bennet;* and died ſeized of the Remainder, having by his Will ordered it to be ſold by his Widow and Executrix, for Payment of his Debts; and ſhe having renounced the Will, Adminiſtration of his Eſtate, with his ſaid Will annexed, was committed to the ſaid *Robert Brough*, who ſold 48 Acres of the ſaid Land to one *William Naylor*, at two different Times, and the Remainder he reſerved for the ſaid Widow's Dower, the ſaid Land not being then divided; and that the ſaid *Elizabeth*, the Widow having afterwards intermarried with the *James Cunningham*, ever ſince hath lived, and ſtill doth live, in the Manſion Houſe on the ſaid remaining Part of the ſaid Land, but how many Acres that Remnant may contain is uncertain, though it appears that on an Inquiry made by the ſaid *Robert Brough* of the Surveyor of the ſaid County, what Number of Acres he thought was left, the Surveyor was of Opinion there were as many Acres left as had been laid off for the
28 ſaid *Naylor:* It further appears that the Under Sheriff of the ſaid County being aſked, ſome ſmall Time before the Election, how many Acres the ſaid *Servant* had paid Quit-rents for, he anſwered 73, as appeared by the Rent-Roll; and it being thereon remarked by a By Stander that then there were but 23 Acres left for the Widow, the ſaid *Robert Brough* replied there were 25 remaining for her Dower, which for that Purpoſe he had reſerved, and of which the ſaid *Cunningham* and his Wife were then poſſeſſed, though it alſo appears that the ſaid *Robert Brough* afterwards acknowledged that the ſaid Widow's Dower was never laid off, and that he judged of the Quantity by Gueſs.

Reſolved, That it is the Opinion of this Committee that the ſaid *James Cunningham* had a good Right to vote for Burgeſſes at the ſaid Election.

It further appeared to your *Committee* that *David Davis*, who alſo voted for the ſitting Member at the ſaid Election, was in Poſſeſſion of Part of a Lot which had been given him about fifteen Years before by his Brother *William Davis*, on Condition of his good Behaviour to him and his Family, with a Piece of Writing (but what it was, doth not appear) which the ſaid *William Davis* ſaid he only intended to ſecure him if he complied with the ſaid Condition, but that he never had it recorded, giving for Reaſon that the ſaid *David* had not complied with the ſaid Condition: That the ſaid *David* had built a Houſe on the ſaid Ground, which coſt about £ 35, and had been in Poſſeſſion thereof about 15 Years; but the ſaid *William Davis* ſwears it was againſt his expreſs Deſire and Directions from 4 or 5 Years after Poſſeſſion, having frequently ordered him out, if he did not pay Rent for it: It alſo appears to your Committee that the ſaid *David Davis* was for ſome Years before the ſaid Election in Poſſeſſion of a Piece of a Lot in the ſaid Town, which was conveyed to him by one *Thomas Cooper*, adjoining the above-mentioned Houſe and Lot he then lived on, whereon is a little Houſe 6 Feet by 4, not framed, but poſted in the Ground, having Rafters on one Side only, and covered in, but the Boards on the Sides of it are moſtly torn off, and it is in a ruinous Condition: It alſo appears that the ſaid *David Davis* had built a Shed to his Houſe, which ſtood on the Ground he purchaſed of the ſaid *Cooper*, which on the Day of the ſaid Election was in a ruinous Condition.

Reſolved, That it is the Opinion of this Committe that the ſaid *David Davis* had a good Right to vote for Burgeſſes at the ſaid Election.

It alſo appeared to your *Committee* that *William Skinner*, who likewiſe voted for the ſitting Member at the ſaid Election, was in Poſſeſſion of a Half of a Lot in the ſaid Town; and that on the *Saturday* before the ſaid Election he purchaſed a ſmall tight framed Houſe, of the Dimenſions of 10 feet by 8, and had the ſame removed and placed on his ſaid Ground, on Purpoſe (as he acknowledged) to qualify him to vote at that Election, and was to pay for it, whatever it ſhould be valued to: It further appears that

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the ſaid Houſe ſtill remains on the ſaid Ground, and is now uſed by one *William Mitchell* as a Stable, and that when he purchaſed it he ſaid he intended to ſettle and build on his ſaid Lot; and that as *Ward* (the Perſon of whom he had bought the ſaid Houſe) owed him ſome Money, the Price of the Houſe ſhould be diſcounted out of it on a Settlement; and that when he bought it, he intended to make uſe of it as a Kitchen, Smoke Houſe, or ſome other neceſſary Houſe: It alſo appears that the ſaid *Ward* and his Wife ſaid they expected the Houſe would be returned them to ſmoke their Meat in, and that the ſaid *Skinner* has, ſince the Election, publickly ſaid he had lent the ſaid *Ward* 2 s. which he had repaid him, and that it was done under a Sham.

Reſolved, That it is the Opinion of this Committee that the ſaid *William Skinner* had a good Right to vote for Burgeſſes at the ſaid Election.

It further appears to your *Committee* that *Thomas Payne*, who likewiſe voted for the ſitting Member at the ſaid Election, was poſſeſſed of a Part of a Lot in the ſaid Town; and that on the *Saturday* before the Election he purchaſed of one *Mary Almond*, for the Value of 10 s. a ſmall Houſe, about 4 and Half Feet Pitch, 4 or 5 Feet long, and 2 or 2 and a Half Feet wide, floored or laid with Plank in the midſt of its Height, to put Milkpans, or other Things, on; and that he had the ſame removed in a Cart, with one Horſe, with the Aſſiſtance of 7 or 8 Men, and placed on his ſaid Lot, on Purpoſe (as he acknowledged) to qualify him to vote at that Election, and that he held no other Land in the ſaid County: It further appears that the ſaid *Thomas Payne*, ſome Time afterwards, went to Sea; and that the ſaid *Mary Almond*, being in Doubt whether ſhe ſhould get her Money of him for the ſaid Houſe, had the ſame removed home again. 29

Reſolved, That it is the Opinion of this Committee that the ſaid *Thomas Payne* had no Right to vote for Burgeſſes at the ſaid Election.

It alſo appears to your *Committee* that *William Tucker*, who likewiſe voted for the ſitting Member at the ſaid, Election, was, at the Time of his giving in his Vote, in his perfect Senſes, which is plain from his inquiring of the Perſon that was ſent for him to attend the Election who was ahead, and being anſwered that the ſitting Member was behind, he immediately called for his Stick, and on his Way to the Court Houſe, having dropped one of his Shoes, he deſired to be ſet down in the Chair in which he was carried to have it put on again, and that when at the Court Houſe he gave his Vote diſtinctly for the ſitting Member and one *John Jones*, and repeated it, though in a low Voice; and that his Vote was not then objected to, although it does appear, from the Teſtimony of 3 ſeveral Witneſſes, that for 7 or 8 Years paſt the ſaid *Tucker* has been generally reputed not to have been in his proper Senſes, and incapable of buying, ſelling, or making any Contract; that he hath ſometimes met with his old Acquaintances, whom he hath not known, and particularly met with one *William Face* in the Street, invited him home with him, and when he was there aſked him who he was.

Reſolved, That it is the Opinion of this Committee that the ſaid *William Tucker* had a good Right to vote for Burgeſſes at the ſaid Election.

It further appears to your *Committee* that *John Buck*, who voted for the Petitioner at the ſaid Election, held 133 or 134 Acres of land in the ſaid County, in Right of his Wife; and that he had before the ſaid Election ſold about 100 Acres of the ſame, more or leſs, to one *Mary Roberts*, and afterwards ſold 15 Acres more of the ſame Land to his Father *Benjamin Buck*, and received Part of the Conſideration Money, but never made any Deed to him for the ſame: That the ſaid *Benjamin Buck*, the Father, built a Houſe on the ſaid Land, and had been in Poſſeſſion thereof about 3 Years; which was afterwards burnt down, about 12 Months before the Month of *January* laſt: That the ſaid 133 or 134 Acres of Land were laid off in the Widowhood of the ſaid *John Buck's* Wife, as her third Part of her former Huſband's Eſtate: That after the ſaid *Benjamin Buck's* Houſe was burnt down, he removed off the ſaid Land, and then the ſaid *John Buck* agreed to ſell the ſaid 15 Acres to one *Charles Jennings*, and received of him £ 3, in Part of the Conſideration, having often before offered it for Sale, although his ſaid Father objected to it, alleging he had a Deed for it: That the ſaid *John Buck* always paid the Quitrents for the whole Land, but was repaid by *William Mallory* the Quitrents of that Part he had

had ſold to the ſaid *Mary Roberts*, the Mother of the ſaid *William Mallory;* but never received, or expected to receive, the Quitrents of the 15 Acres he had ſold to his Father:
30 That the ſaid *John Buck* was in Poſſeſſion of the ſaid 15 Acres ſome Time before laſt Chriſtmas twelve Months, about which Time his ſaid Father left the ſame: It further appears that the ſaid *John Buck* acknowledged he would not at the ſaid Election have taken the Oath preſcribed by Law, if it had been required of him.

Reſolved, That it is the Opinion of this Committee that the ſaid *John Buck* had no Right to vote for Burgeſſes at the ſaid Election.

It further appears to your *Committee* that *Edward Yeargain*, who alſo voted for the Petitioner at the ſaid Election, was poſſeſſed of 18 Acres and a Half of Land in the ſaid County, where he then lived; and alſo of another Tract of 50 Acres, which is ſeparated from the Land he lives on by another Perſon's Land running between them, and on which there is no Houſe, nor any Cultivation, except the clearing of a ſmall Part of it; and that he had no other Land in the ſaid County.

Reſolved, That it is the Opinion of this Committee that the ſaid *Edward Yeargain* had a good Right to vote for Burgeſſes at the ſaid Election.

Your *Committee* alſo beg Leave to inform the Houſe that it appears to them that the Reverend Mr *Thomas Warrington*, Rector of the Pariſh of *Elizabeth City*, in the ſaid County of *Elizabeth City*, having been in full Poſſeſſion of his Glebe for ſome Years, containing by Computation about 100 Acres, with competent Buildings thereon, appeared at the ſaid Election, and offered to vote for Mr *Wythe* and the Petitioner, but refuſing (as being dubious of his Right to vote) to take the Oath preſcribed by Law, which was required of him, he was not allowed to vote at the ſaid Election, but that his Name was put on the Back of the Poll.

Reſolved, That it is the Opinion of this Committee that the ſaid *Thomas Warrington* had a good Right to vote for Burgeſſes at the ſaid Election, and that his Vote ought to be added to the Petitioners Poll.

It further appears to your *Committee* that on the Day of the ſaid Election, on the Application of the Petitioner and ſome of his Friends, and particularly of one Doctor *John Brodie*, and with the Approbation and Conſent of all the Candidates at the ſaid Election, the Sheriff of the ſaid County did agree to poſtpone cloſing the Poll until Sunſetting; and that thereon the ſaid Doctor *Brodie*, with ſome other Freeholders, went out of Town, in Order to bring in 2 other Freeholders, their Names *Johnſon Mallory* and *John Lowry* the elder, to give their Votes at the ſaid Election, who thereon immediately prepared to ſet out for the Court-Houſe, but were told they need not hurry themſelves, as it was agreed that the Poll was not to be cloſed until Sunſet: It appears that the ſaid Sheriff having, ſoon after the ſaid Agreement among the Candidates and himſelf, received and polled two Voters for the ſitting Member, and 1 for the Petitioner, cloſed the Poll, which was about an Hour and a Half before Sunſet, notwithſtanding the earneſt Intreaties of the Petitioner and ſome of his Friends, and particularly of Mr *John Tabb* (now deceaſed) who deſired him to defer cloſing the Poll, as ſome of the Petitioner's Friends were then on their Way to the Court Houſe, and would be there in a ſhort Time; to whom the ſaid Sheriff made Anſwer, "that he knew his Duty, and ſhould not be directed by him, and that he ſhould cloſe the Poll when he thought proper:" And that the ſaid Sheriff, being told by the ſaid *John Tabb*, "that the Reaſon of his making that Application to him was, knowing if he cloſed the Poll, before the Petitioner's Voters came in, it would occaſion a Complaint elſewhere, or above;" he anſwered, with Warmth, "he did not value him, or he might do as he pleaſed." It further appears that, at the Time cloſing the Poll, the ſaid *Johnſon Mallory* was ſo near the Court Houſe
31 as to be able to diſtinguiſh the ſitting Member carried off through the Streets by the Populace, and that he arrived at the Court Houſe a few Minutes after; and that the ſaid *John Lowry* was not more than a Mile and a Half diſtant from the Court Houſe at the ſame Time; where he was ſtopped by a Meſſenger ſent to inform him that the Poll was cloſed, when he expreſſed his Uneaſineſs that he ſhould return without being of Service to his Friends, naming Mr *George Wythe* and the Petitioner: It alſo appears from

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the Oaths of the ſaid *Johnſon Mallory* and *John Lowry*, that had they been polled at the ſaid Election they would have voted for the ſaid *George Wythe* and the Petitioner.

Reſolved, That it is the Opinion of this Committee that the Names and Votes of the ſaid *Johnſon Mallory* and *John Lowry* ought to be added to the Petitioners Poll.

It appears to your *Committee*, on Examination of a Copy of the Poll taken at the ſaid Election, that the ſitting Member had 2 Votes more than the Petitioner; but that 3 of the Perſons who voted for the ſitting Member, namely, *Signe Pariſh*, *Samuel Dewberry*, Jun. and *Thomas Payne*, it is the Opinion of your Committee had no Right to vote at the ſaid Election: And your Committee are alſo of Opinion that 1 of the Perſons who voted for the Petitioner at the ſaid Election, namely, *John Buck*, had no Right ſo to do; but that by adding the Votes of the ſaid *Thomas Warrington*, *Johnſon Mallory* and *John Lowry*, to the Petitioner's Poll, he hath a Majority of legal Votes. *And therefore*

Reſolved, That it is the Opinion of this Committee that the ſaid Mr *William Wager* is not duly elected to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Elizabeth City*.

Reſolved, That it is the Opinion of this Committee that the Petitioner Mr *James Wallace* is duly elected to ſerve as a Burgeſs in this preſent General Aſſembly, for the ſaid County.

The *firſt* Reſolution being read a ſecond Time, and the Queſtion put that the Houſe agree thereto,

It paſſed in the Negative.

The *ſecond*, *third*, *fourth*, *fifth*, *ſixth*, and *ſeventh* Reſolutions being alſo read a ſecond Time, and the Queſtion put that the Houſe agree thereto,

It paſſed in the Affirmative.

Ordered, That the *eighth*, *ninth*, *tenth eleventh*, *twelfth*, and *thirteenth* Reſolutions be recommitted to the ſaid Committee.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that the Committee had had under their Conſideration divers Propoſitions and Petitions to them referred, and had come to the following Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read and agreed to by the Houſe as follow:

Reſolved, That the Petition of ſundry Proprietors of Lots in, and Inhabitants of, the Town of *Blandford*, in the County of *Prince George*, praying that an Act may paſs For appointing Truſtees for directing, carrying on, maintaining and regulating the ſaid Town, and to prevent Hogs running at large, therein, is reaſonable.

Reſolved, That the Petition of ſundry Proprietors and Inhabitants of the Town of *Alexandria* in the County of *Fairfax*, praying that an Act may paſs For enlarging ſaid town, agreeable to a Plan to the ſaid Petition annexed, is reaſonable.

Reſolved, That the Petition of *William Tyler*, praying that the Rates of Ferriage 32
may be enlarged at the Ferry eſtabliſhed from his Land, over *Potowmack* River, to *Cedar Point*, in *Maryland*, is reaſonable.

Reſolved, That the Petition of ſundry Ordinary Keepers in *York Town*, praying that the Act of Aſſembly, entitled, *An Act*[1] *for regulating Ordinaries, and Reſtraints of Tippling Houſes*, may be amended, is reaſonable.

Reſolved, That the Petition of ſundry Inhabitants in, and adjoining to, a Place called *Shepherd's Town*, in the County of *Frederick*, praying that an Act may paſs For Eſtabliſhing a Town at that Place is reaſonable.

Ordered, That a Bill or Bills be brought in purſuant to the ſaid Reſolutions, and it is referred to the Committee of Propoſitions and Grievances to prepare and bring in the ſame.

Mr *Landon Carter* preſented to the Houſe, according to Order, a Bill For regulating the Fees and Charges for Perſons practicing in Phyſick, Surgery and Midwifery, in this Colony; which was read the firſt Time, and ordered to be read a ſecond Time.

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[1] Hening, VI, p. 71.

A *Petition* of divers Inhabitants of the County of *Lunenburg*, praying that the ſaid County may be divided into three diſtinct Counties, and that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinions thereon, to the Houſe.

A *Claim* of *William Cromwell*, for taking up a Deſerter belonging to the firſt *Virginia* Regiment.

Alſo ſeveral *Accounts* and Claims of ſundry Inhabitants of the County of *Frederick*, for Proviſions and other Neceſſaries furniſhed the Forces in the Service of this Colony, and for tributary *Indians*, in their marching through the Country, and for Expreſſes; were ſeverally preſented to the Houſe and received, and referred to the Conſideration of the Committee of Claims.

A *Petition* of ſundry Inhabitants of the County of *Hampſhire*, ſetting forth that the Right Hon. the Lord *Fairfax* has laid off 50 Acres of Land at a Place called *Pearſall's Level*, in the ſaid County, and praying that a Town may be eſtabliſhed thereon, and that they may enjoy the uſual Privileges with other Towns in this Colony, was preſented to the Houſe and read.

Ordered, That a Bill or Bills be brought in purſuant to the ſaid Petition, and it is referred to Mr *Mercer* and Mr *Rutherford* to prepare and bring in the ſame.

And then the Houſe adjourned until Tomorrow Morning 11 *o'Clock*

Saturday, the 13th of November, 3 Geo. III. 1762.

MR *Attorney*, from the Committee of Propoſitions and Grievances, preſented to the Houſe, according to Order, a Bill For removing the publick Warehouſes for the Inſpection of Tobacco from *Yeocomico* to New Landing, on *Yeocomico* River, in the County of *Weſtmoreland;* and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

A *Bill* To empower the Veſtry of the Pariſh of *St. Patrick*, in the County of *Prince Edward*, to levy for *Thomas Wood* a reaſonable ſatiſfaction for his Expenſes in building a Church there, which was burnt down before it was finiſhed.

Alſo a *Bill* For ſetting the Bounds between the Pariſhes of *Martin's Brandon* and *Briſtol*, in the County of *Prince George*.

33 *Alſo* a *Bill* For regulating the Fees and Charges of Perſons practicing in Phyſick, Surgery, and Midwifery, in this Colony, were ſeverally read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Petition* of divers Inhabitants of the Pariſh of *Hampſhire*, in the County of *Hampſhire*, ſetting forth that the late Election of Veſtrymen for the ſaid Pariſh was illegal, and praying that the ſame may be diſſolved, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

And then the Houſe adjourned until Monday Morning 11 *o'Clock.*

Monday, the 15th of November, 3 Geo. III. 1762.

A *Petition* of ſundry Inhabitants of the County of *Fauquier*, praying that a Town may be eſtabliſhed on the Land of *Richard Henry Lee*, Eſq; whereon the Court Houſe for the ſaid County now ſtands, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report their Opinion thereon to the Houſe.

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An *Account* of *John Robinſon*, for Boat Hire and extra Expenſes in the conducting ſeveral Soldiers to *Frederickſburg*, was preſented to the Houſe and received, and referred to the Conſideration of the Committee of Claims.

An engroſſed *Bill* For ſettling the Bounds between the Pariſhes of *Martin's Brandon* and *Briſtol*, in the County of *Prince George*, was read a third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Bland* do carry the ſaid Bill to the Council for their Concurrence.

On a *Motion* made,

Ordered, That the Treaſurer be empowered and directed to diſcharge the ſeveral Sheriffs againſt whom he hath received Judgment for the Penalty of their Bonds, upon receiving the Sums actually due from them, and their paying the Coſts occaſioned by his Motion againſt them.

An engroſſed *Bill*, entitled, *An Act*[1] *to empower the Veſtry of the Pariſh of* St. Patrick, *in the County of* Prince Edward, *to levy for* Thomas Wood *a reaſonable Satiſfaction for his expenſes in building a Church there, which was burnt down before it was finiſhed*, was read a third Time.

Reſolved, That the Bill do paſs.

Ordered, That Mr *Attorney* do carry up the ſaid Bill to the Council for their Concurrence.

A *Petition* of *John McDonald*, late a Soldier in the *Virginia* Regiment, ſetting forth that he has been in the Service 3 Years; that he was wounded in his Thigh in General *Braddock's* Engagement, which has rendered him incapable of getting a Livelihood as formerly; and praying the Conſideration of the Houſe, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of Mr *Edmund Pendleton*, Mr *Baylor* and Mr *Waſhington;* that they examine into the Allegations thereof, and report the ſame, with their Opinions thereon, to the Houſe.

And then the Houſe adjourned until Tomorrow Morning 11 *o'Clock.*

Tuesday, the 16th of November, 3 Geo. III. 1762.

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AN engroſſed *Bill*, for regulating the Fees and Charges of Perſons practicing in Surgery and Midwifery, in this Colony, was read the third Time; and the Queſtion being put that the ſaid Bill do paſs.

It paſſed in the Negative.

Ordered, That the ſaid Bill be rejected.

Mr *Bland*, from the Committee of Privileges and Elections, reported that the Committee had had under their Conſideration as well the Petition of Mr *John Clack*, complaining of an undue Election and Return of Mr *Iſaac Rowe Walton* to ſerve as a Burgeſs in this preſent General Aſſembly, for the County of Brunſwick, to them referred, as alſo the Report made by the Committte who were appointed to take the Depoſitions of Witneſſes in Behalf of both Parties, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to, with an Amendment, as follow:

Reſolved, That the ſaid Commiſſioners have not fully executed the Orders of this Houſe made on the ſaid Petition, as on the 6th Day of *November*, 1761; and that the ſaid Report is inſufficient for the Houſe to proceed thereon.

Reſolved, That the Petitioner and ſitting Member be at Liberty to examine Witneſſes before *John Willis*, *Nathaniel Edwards*, *Drury Stith*, *John Maclin*, *Nicholas Edmunds*, *James Wall* and *William Edwards*, or any 3 of them, as to the Freeholds of any Perſon who voted at the ſaid Election, although ſuch Perſon did ſwear at the Election, or ſhall ſwear to the ſame on their Examination; and that they be at Liberty to examine

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[1] Hening, VII, p. 611.

examine how long ſuch Voters have been in Poſſeſſion of, and paid Quitrents for, the Lands or Tenements in Right of which they voted at the ſaid Election; and that they return ſuch Depoſitions to this Houſe, on or before *Tueſday* the 7th Day of *December* next.

Reſolved, That the further Conſideration of the ſaid Petition ought to be put off until the 7th Day of *December* next.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee, to take into their further Conſideration the Governour's Speech.

Reſolved, That this Houſe will again reſolve itſelf into the ſaid Committee Tomorrow.

And then the Houſe adjourned until Tomorrow Morning 11 *o'Clock.*

Wednesday, the 17th of November, 3 Geo. III. 1762.

ON a *Motion* made,

Ordered, That Leave be given to bring in a Bill To alter the Court Day of the County of *Prince Edward*, and it is referred to Mr *Le Grand* to prepare and bring in the ſame.

An *Account* of *William Cunningham*, for Proviſions for the Uſe of the *Prince William* Militia, when ſtationed at *Oreſtes* Fort, in the Year 1758, was preſented to the Houſe and received, and referred to the Conſideration of the Committee of Claims.

Mr *Landon Carter*, from the Committee of Courts of Juſtice, reported that the Committee had, according to Order, examined what Laws have expired ſince the laſt Seſſion of Aſſembly, and inſpected ſuch Laws as will expire at or ſoon after this Seſſion of
33 Aſſembly; and had agreed on a Report, and come to ſeveral Reſolutions thereon, which he read in his place, and then delivered in at the Table, where they were again twice read, and agreed to, and are as follow:

Reſolved, That the Act of Aſſembly made in the 22d Year of the Reign of his late Majeſty King *George* II, entitled, *An Act*[1] *for inſpecting Pork, Beef, Flower, Tar, Pitch and Turpentine*, which was revived and amended by another Act, made in the 29th Year of his ſaid Majeſty's Reign, and which expired on the 14th Day of *November*, 1761, ought to be revived.

Reſolved, That the Act of Aſſembly made in the 30th Year of the Reign of his late Majeſty King *George* II, entitled, *An Act*[2] *for better regulating and diſciplining the Militia*, which was continued by another Act made in the 32d Year of his ſaid late Majeſty's Reign, and which will expire the 8th Day of *June*, 1763, ought to be further continued, with Amendments.

Reſolved, That the Act of Aſſembly made in the 30th Year of the Reign of his late Majeſty King *George* II, entitled, *An Act*[3] *for reducing the ſeveral Acts for making Proviſion againſt invaſions and Inſurrections into one Act*, which was continued by the two other Acts, one in the 32d Year of his ſaid late Majeſty's Reign, and the other in the 1ſt Year of his preſent Majeſty's Reign, and which will expire on the 8th Day of *June*, 1763, ought to be further continued.

Reſolved, That the Act of Aſſembly made in the 19th Year of the Reign of his late Majeſty King *George* II, entitled, *An Act*[4] *for better regulating and collecting certain Officers Fees, and for other Purpoſes therein mentioned*, which was continued and amended by another Act made in the 1ſt Year of his preſent Majeſty's Reign, and which will expire the 12th Day of *April*, 1764, ought to be further continued, with Amendments.

Reſolved, That the Act of Aſſembly made in the 22d Year of the Reign of his late Majeſty King *George* II, entitled, *An Act*[5] *for amending the Staple of Tobacco, and for preventing Frauds in his Majeſty's Cuſtoms*, together with three other Acts made in the 25th, 27th and 28th, Years of his ſaid late Majeſty's Reign, alſo one other Act made in the 1ſt Year of his preſent Majeſty's Reign, for continuing and amending the ſame, which will

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[1] Hening, VI, p. 146.
[2] *Ibid.*, VII, p. 93.
[3] *Ibid.*, VII, p. 106.
[4] *Ibid.*, V, p. 326
[5] *Ibid.*, VI, p. 154.

will expire at the End of the Seſſion of Aſſembly, to he held next after the 10th Day of *April*, 1764, ought to be further continued, with Amendments.

Ordered, That a Bill or Bills be brought in purſuant to the 1ſt Reſolution, and it is referred to the Committee of Trade to prepare and bring in the ſame.

Ordered, That a Bill or Bills be brought in purſuant to the 2d and 3d Reſolutions, and it is referred to the Committee of Propoſitions and Grievances to prepare and bring in the ſame.

Ordered, That a Bill or Bills be brought in purſuant to the 4th Reſolution, and it is referred to the Committee for Courts of Juſtice to prepare and bring in the ſame.

A *Petition* of *John Cocke*, praying that a Ferry may be eſtabliſhed from his Land, known by the Name of *Scotland Neck*, in the County of *Surry*, over *James* River, to *James Town*, on the oppoſite Shore, was preſented to the Houſe and received.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Petition* of *Thomas Bullett*, *John Blagg* and *William Fleming*, Captains, and *James Walker*, Enſign, in the *Virginia* Regiment, ſetting forth that they were appointed 34
to enliſt Recruits for the ſaid Regiment, and did ſeverally enliſt a Number of Men; and purſuant to their Inſtructions, and the Act of Aſſembly for that Purpoſe, did advance them the Bounty Money allowed by the ſaid Act, and were at a great Expenſe for their Subſiſtence; That ſeveral Men ſo enliſted deſerted from them reſpectively before they arrived at the Place of General Rendezvous, or had been examined or received by any Field Officer belonging to the ſaid Regiment; for which Reaſon as well the Paymaſter of the Regiment, as the Commiſſioners appointed to examine and ſettle the Accounts of the Expenſes of raiſing and maintaining the ſame, do refuſe to make them any Allowance: And praying the Conſideration of this Houſe, was preſented to theHouſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinions thereupon, to the Houſe.

Mr *Pendleton*, from the Perſons appointed to whom the Petition of *John Mc Donald* was referred, reported that they had examined into the Allegations thereof, and agreed upon a Report, and come to a Reſolution thereon; which he read in his Place, and then delivered in at the Table, where the ſame was again twice read, and agreed to by the Houſe, as follows:

It appears that the ſaid *McDonald* was a Soldier in Captain *Dagworthy's* Company, in the Service and Pay of *Maryland*, from the Year 1754 until the Year 1756, when he was diſcharged, having in General *Braddock's* Engagement received the Wound in his Petition mentioned, and that he was not in the Service or Pay of this Colony.

Reſolved, That the ſaid Petition be rejected.

Mr *Bland*, from the Committee of Privileges and Elections, reported that the Committee had had under their further Conſideration that Part of their Report made on *Friday* laſt, relating to the Petition of Mr *James Wallace*, complaining of an undue Election and Return of Mr *William Wager* to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Elizabeth City*, which was recommitted to them, and had agreed upon a Report, and come to ſeveral Reſolutions thereupon, which he read in his Place, and then delivered in at the Table, where the ſame was again twice read, and agreed to by the Houſe, as follows:

It appears to your *Committee* that *John Buck*, who voted for the Petitioner at the ſaid Election, held 133 or 134 Acres of Land in the ſaid County, in Right of his Wife; but before the ſaid Election he ſold 100 Acres, more or leſs, Part of the ſaid Land, to one *Mary Roberts*, and alſo 15 Acres, other Part of the ſaid Land, to his Father *Benjamin Buck*, and made a Deed for the ſame to the ſaid *Benjamin*, for the Life of his the ſaid *John's* Wife, which Deed was never recorded, but is now in the Poſſeſſion of one *Lockey Collier:* That the ſaid *Benjamin* built a Houſe on the ſaid 15 Acres of Land, and was in Poſſeſſion thereof upwards of three Years, when the ſaid Houſe was burnt down about the

the 1ſt of *November*, 1760: That the ſaid 133 or 134 Acres were laid off in the Widowhood of the ſaid *John Buck's* Wife, being her Dower in her former Huſband's Eſtate: That after the ſaid *Benjamin Buck's* Houſe was burnt down he removed, and the ſaid *John Buck* his Son then ſold the ſaid 15 Acres to one *Charles Jennings*, of whom he received £ 3, in Part of the Conſideration Money, but never made him any Deed for the ſame: That the ſaid *John Buck*, often before his ſaid Father's Removal, offered the ſaid 15 Acres of Land for Sale; but his Father objected to it, alleging he had a Deed for the ſaid Land from his Son: That the ſaid *John Buck* always paid the Quitrents for the
35 whole 133 or 134 Acres of land, and was repaid for the 100 Acres he ſold to *Mary Roberts* by her Son *William Mallory*; but never received, or expected to receive, the Quitrents for the 15 Acres he had ſold to his ſaid Father: That after the Houſe which *Benjamin Buck* had built was burnt down, the ſaid *Benjamin* removed from the ſaid Land; and the ſaid *John Buck*, ſome Time before Chriſtmas, 1760, took Poſſeſſion of the ſame, without his Father's Conſent, and was in Poſſeſſion thereof at the Time of the ſaid Election: And that at the Time of the ſaid Election the ſaid Parties were all living. It further appears to your Committee that the Land in Right of which the ſaid *John Buck* voted was Part of a Tract of Land belonging to *Lockey Collier*, an Infant, and that no other Perſon voted in Right of the ſaid Land; and that he would not have taken the Oath preſcribed by Law if it had been required of him.

Reſolved, That it is the Opinion of this Committee that the ſaid *John Buck* had no Right to vote for Burgeſſes at the ſaid Election.

Your *Committee* further beg Leave to inform the Houſe that *Edward Yeargain*, who alſo voted for the Petitioner at the ſaid Election, was poſſeſſed of 18 Acres and a Half of Land in the ſaid County, where he then lived, and alſo of another Tract of 50 Acres, which is ſeparated from the Land he lives on by one *James Prieſt's* Land: That there is no Houſe on the ſaid 50 Acres of Land, and that he always paid Quitrents for both the Tracts, amounting together to 68 Acres and a Half.

Reſolved, That it is the Opinion of this Committee that the ſaid *Edward Yeargain* had a good Right to vote for Burgeſſes at the ſaid Election.

Your *Committee* alſo beg Leave to inform the Houſe that it appears to them that the Reverend Mr *Thomas Warrington*, Rector of the Pariſh of *Elizabeth City*, in the ſaid County of *Elizabeth City*, having been in Poſſeſſion of his Glebe for ſome Years, containing by Computation about 100 Acres, with competent Buildings thereon, appeared at the ſaid Election, and offered to vote for Mr *Wythe* and the Petitioner; but refuſing to take the Oath preſcribed by Law, which was required of him, he was not allowed to vote at the ſaid Election, but his Name was endorſed on the Back of the Poll.

Reſolved, That it is the Opinion of this Committee that the ſaid *Thomas Warrington* had a good Right to vote for Burgeſſes at the ſaid Election, and that his Vote ought to be added to the Petitioner's Poll.

It further appears to your *Committee*, by the Teſtimony of Doctor *John Brodie*, Mr *John Tabb* (now dead) *William Read*, *John Selden* and *John Caſey*, that on the Day of the ſaid Election, on the Application of the Petitioner and ſome of his Friends, and particularly of the ſaid Doctor *Brodie*, and with the Approbation and Conſent of all the Candidates at the ſaid Election, the Sheriff of the ſaid County did agree to poſtpone cloſing the Poll until Sunſetting; and that thereupon the ſaid *Brodie*, with ſome other Freeholders, went out of Town, in Order to bring in two other Freeholders, by Name *Johnſon Mallory* and *John Lowry*, the elder, to give their Votes at the ſaid Election, who thereupon immediately prepared to ſet out for the Court Houſe, but were told they need not hurry themſelves, as it was agreed that the Poll was not to be cloſed until Sunſet. It alſo appears to your Committee that the ſaid Sheriff, having after the ſaid Agreement received and polled two Voters for the ſitting Member, and one for the Petitioner, cloſed the Poll about an Hour and a Half before Sunſet, although the Petitioner and ſome of his Friends, and particularly of the ſaid *John Tabb*, earneſtly deſired him to defer cloſing the Poll, as ſome of the Petitioner's Friends were then on their Way to the Courthouſe, and would be there, as he expected, in a ſhort Time; to whom the ſaid

Sheriff

Sheriff made anſwer, "That he knew his Duty, and ſhould not be directed by him; and 36
that he ſhould cloſe the Poll when he thought proper." And that the ſaid Sheriff being told by the ſaid *John Tabb* "That the Reaſon of his making that Application was, that knowing if he cloſed the Poll before the Petitioner's Voters came in, it would occaſion a Complaint elſewhere, or above," he anſwered with Warmth, "He did not value him, or he might do as he pleaſed." It further appears that at the Time of cloſing the Poll the ſaid *Johnſon Mallory* was within the Town, and ſo near the Courthouſe as to be able to diſtinguiſh the ſitting Member carried off through the Streets by the Populace; and that he was at the Courthouſe within five Minutes after the Poll was cloſed, and that the ſaid *John Lowry* was not more than a Mile and a Half diſtant from the Courthouſe at the ſame Time, and would have been there in a Quarter of an Hour, but was ſtopped by a Meſſenger, ſent to inform him that the Poll was cloſed, when he expreſſed his Uneaſineſs that he ſhould return without being of Service to his Friends, naming Mr *Wythe* and the Petitioner. It doth alſo appear to your Committee, by the Teſtimony of *Henry King*, *John Bullock*, *Cary Selden*, the ſaid *George Walker* the Sheriff, and *Robert Brough*, that the ſaid Sheriff had agreed to defer cloſing the Poll for three Hours only from the Time he was firſt applied to by the Petitioner and his Friends, and that he called for a Watch, which was lent to him by one of the By Standers, in order to fix the Expiration of the ſaid 3 Hours; and that when the Poll was cloſed the Sheriff ordered publick Proclamation to be made, and declared he had exceeded the three Hours about ten Minutes. It alſo appears that when application was made as aforeſaid, and it was propoſed to keep the Poll open until Sunſet, the ſitting Member objected to it, and ſaid they might as well keep the Poll open until the next Day as until Sunſet, becauſe he could by that Time get Voters from *Norfolk*, and that the Petitioner alſo ſaid he could get Voters from thence by that Time; but the ſaid Sheriff refuſed to adjourn the ſaid Poll until the next Day, ſaying he had never known nor heard of ſuch a Precedent in the Country. It further appears to your Committee that the ſaid *John Brodie*, on his Examination before the Commiſſioners appointed to take the Depoſitions in this Diſpute in the Country, did refuſe to anſwer ſeveral pertinent and material Queſtions that were put to him by the ſitting Member, relative to the Time agreed on for cloſing the Poll. Your Committee alſo beg Leave to inform the Houſe that it appears, from the Oaths of the ſaid *Johnſon Mallory* and *John Lowry*, that had they been polled at the ſaid Election, they would have voted for Mr *Wythe* and the Petitioner; and that the ſaid Sheriff declared before your Committee that had the Number of Voters at the cloſing the ſaid Poll been equal, he ſhould have returned the ſitting Member.

Reſolved, That it is the Opinion of this Committee that the Names and Votes of the ſaid *Johnſon Mallory* and *John Lowry* ought not to be added to the Petitioner's Poll.

It appears to your *Committee*, on Examination of a Copy of the Poll taken at the ſaid Election, that the ſitting Member had two Votes more than the Petitioner; but that two of the Perſons who voted for the ſitting Member, to wit, *Samuel Dewberry*, Jun. and *Thomas Payne*, it is the Opinion of your Committee, had no Right to vote at the ſaid Election; and that one of the Perſons who voted for the Petitioner at the ſaid Election to wit, *John Buck*, had no Right ſo to do; and that the Vote of the ſaid *Thomas Warrington* ought to be added to the Petitioner's Poll; and that the ſitting Member and the Petitioner have an equal Number of legal Votes; *and therefore*

Reſolved, That the ſaid Mr *William Wager* is duly elected to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Elizabeth City*.

On a *Motion* made, 37

Ordered, That Leave be given to bring in a Bill To explain and amend one Act of Aſſembly, made in the 4th Year of the Reign of Queen *Anne*, entitled, *An Act*[1] *for regulating the Election of Burgeſſes, for ſettling their Privileges, and for aſcertaining their Allowances.*

Alſo one other *Act* made in the tenth Year of *George* II. entitled, *An Act*[2] *to declare who ſhall have a Right to vote in the Election of Burgeſſes to ſerve in the General Aſſembly for*

[1] Hening, III, p. 236.

[2] *Ibid.*, IV, p. 475.

for Counties, and for preventing fraudulent Conveyances, in Order to multiply Votes at ſuch Election; and it is referred to Mr *Richard Henry Lee*, Mr *Pendleton* and Mr *Bland*, to prepare and bring in the ſame.

Ordered, That Mr *Bowler Cocke*, Mr *Richard Eppes* and Mr *Waſhington*, be added to the Committee of Propoſitions and Grievances.

An *Account* of *James Patty*, praying an Allowance for 30 Days loſt Time of his Slave *Gilbert*, by being froſtbitten during his Confinement in *Caroline* Gaol, whereto he was committed, on Suſpicion of Felony, and acquitted, was preſented to the Houſe and received, and referred to the Conſideration of the Committee of Claims.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that the ſaid Committee had had under their Conſideration divers Propoſitions and Petitions to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That the Petition of ſundry Inhabitants of the Counties of *James City* and *Charles City*, praying that the publick Warehouſes at *Hog Neck* may be diſcontinued, and other Warehouſes eſtabliſhed at *Barrett's* Ferry, in the ſaid County be rejected.

Reſolved, That the Petition of ſundry Inhabitants of the Counties of *James City* and *New Kent*, in Oppoſition thereto, and praying that the Warehouſes may be ſtill continued at *Hog Neck*, is reaſonable.

Reſolved, That the Petition of ſundry Inhabitants of the Counties of *Surry* and *James City*, praying that publick Warehouſes for the Inſpection of Tobacco may be eſtabliſhed at *James Town*, on the Land of *John Ambler*, Eſq; be rejected.

Reſolved, That the Petition of ſundry Inhabitants of the Counties of *Amherſt* and *Buckingham*, praying that they may be reimburſed by the Inhabitants of the County of *Albemarle* their proportionable Part of the Money expended in the Purchaſe of Scales and Meaſures of the Standard of *England*, for the publick Uſe of the ſaid County of *Albemarle*, before the ſame was divided, is reaſonable.

Reſolved, That the Petition of ſundry Inhabitants of the upper Part of the County of *King* and *Queen*, praying that the ſaid County may be divided, according to the Lines and Bounds in the ſaid Petition particularly expreſſed, and that that Part of the ſaid County lying above thoſe Bounds may be united to, and made Part of, the County of *Caroline*, is reaſonable.

Reſolved, That the Petition of ſundry Inhabitants of the Pariſh of *Nottoway*, in the County of *Southampton*, praying that the ſaid Pariſh may be divided, is reaſonable.

Reſolved, That ſo much of the Petition of ſundry other Inhabitants of the ſaid County and Pariſh, praying that the ſaid Pariſh may be divided as aforeſaid, is reaſonable.

38 *Reſolved*, That the Reſidue of the ſaid laſt mentioned Petition, praying that the ſaid County of *Southampton* may be divided, be rejected.

Reſolved, That the Petition of ſundry other Inhabitants of the ſaid Pariſh, in Oppoſition to the two other Petitions for dividing the ſaid Pariſh, be rejected.

Reſolved, That the Petition of ſundry Inhabitants of the Pariſh of *Hampſhire*, in the County of *Hampſhire*, complaining of the Illegality of the Sheriffs Proceeding in electing the preſent Veſtry of the ſaid Pariſh, and praying that the ſame may be diſſolved, is reaſonable.

Reſolved, That the Petition of ſundry Inhabitants of the County of *Fauquier*, praying that a Town may be eſtabliſhed on the Land of *Richard Henry Lee*, Eſq; contiguous to the Courthouſe of that County, or on the Land of *William Edmunds*, or *John Hitt*, adjoining thereto, be rejected.

Reſolved, That the Petition of ſundry Juſtices of the Peace of the County of *Northumberland*, in Behalf of themſelves, and all others his Majeſty's Juſtices of the Peace in this Colony, praying that they may be exempt from attending at the private and general Muſters of the Militia in their reſpective Counties, is reaſonable.

Ordered

Ordered, That a Bill or Bills be brought in purſuant to the 4th, 5th, 6th and 9th, Reſolutions; and it is referred to the Committee of Propoſitions to prepare and bring in the ſame: And that it be an Inſtruction to the Committee to whom it is referred to prepare and bring in a Bill For amending and further continuing the Act for the better regulating and diſciplining the Militia, that they receive a Clauſe or Clauſes purſuant to the laſt Reſolution.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee, to take into their further Conſideration the Governour's Speech.

Reſolved, That this Houſe will again reſolve itſelf into the ſaid Committee Tomorrow.

Ordered, That it be an Inſtruction to the Committee to whom it is referred to bring in a Bill For adding Part of the County of *King* and *Queen* to the County of *Caroline*, that they receive a Clauſe or Clauſes, To alter the Court Day of the ſaid County of *King* and *Queen*.

Ordered, That Mr *Wallace* do pay unto Mr *William Wager* his Expenſes occaſioned by his Petition, and it is referred to the Committee of Claims to regulate and ſettle the ſame.

Ordered, That Mr *Carrington* be added to the Committee of Claims and Courts of Juſtice, and Mr *Rutherford* to the Committee of Claims.

A *Petition* of *Ralph Wormeley*, Eſq; ſetting forth that he is ſeized as Tenant in Fee Taille of two ſmall Tracts of Land, the one lying in *Glouceſter* County, containing 450 Acres, and the other lying in the County of *Middleſex*, containing 300 Acres, which Lands he can diſpoſe of at a Price very advantageous to his Family; and at the ſame Time, as they are detached from his other entailed Eſtate, they will not be ſo valuable to his Heir as other contiguous Lands, which may be ſettled in Lieu thereof; and praying that an Act may paſs To dock the Entail of the ſaid two Tracts of Land, and to ſettle other Lands to the ſame Uſes; was preſented to the Houſe, and read.

Ordered, That a Bill be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Pendleton* to prepare and bring in the ſame.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Thurſday, the 18th of November, 3 Geo. III. 1762.

39

SEVERAL *Claims* of *Adam Broyle*, the Widow of *Jacob Broyle*, and *John Lowry*, for taking up Runaways therein mentioned.

Alſo an *Account* of *Joſeph Patterſon*, to be allowed for a Horſe impreſſed by *John Miller*, Jun. to carry a Criminal from the County of *Caroline* to *Williamſburg*, which was detained from him three Days.

Alſo an *Account* of *Cheſterfield Forge*, againſt the Publick for 1991 Pounds of Tobacco; were ſeverally preſented to the Houſe and received, and referred to the Conſideration of the Committee of Claims.

Several *Accounts* of *Gerſham Keys*, for Proviſions furniſhed the Militia of *Fairfax* County, drawn out into actual Service.

Alſo an *Account* of *Samuel Vance*, for Powder and Ball purchaſed by him of *Alexander Sayers*, for the Uſe of the Militia under his Command at Fort *Ligonier*, in 1758.

Alſo an *Account* of *Adolph Iler*, for a Beef furniſhed the *Cherokees;* were ſeverally preſented to the Houſe, and received.

Ordered, That the ſaid Accounts be referred to the Conſideration of the Committee of Claims; that they examine the Allegations thereof, and report the ſame, with their Opinions thereon, to the Houſe.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To repeal ſo much of the Act of Aſſembly made in the 25th Year of his late Majeſty's Reign, entitled, *An Act*[1] *for building*

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[1] Hening, VI, p. 293.

a Bridge over Appomattox *River, by Subſcription*, as relates to the prohibiting the Juſtices of the Counties of *Cheſterfield* and *Dinwiddie* from building a Bridge at the Place in the ſaid Act mentioned at the Charge of their Counties; and it is referred to Mr *Bland*, Mr *Cary* and Mr *Eppes*, to prepare and bring in the ſame.

Mr *Attorney*, one of the Members of the Committee of Correſpondence, named in the Act for appointing an Agent, according to Order, laid before the Houſe the Regiſter of the Proceedings of that Committee.

Alſo a *Bill* from the Committee of Propoſitions and Grievances For dividing the Pariſh of *Accomack*, in the County of *Accomack*, into two diſtinct Pariſhes.

Alſo a *Bill* For building a Bridge over *Nottoway* River, from the Land of *Jeſſe Brown*, by Subſcription; and the ſame was ſeverally read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* of divers Inhabitants of the Pariſh of *St. Margaret's*, in the County of *Caroline*, praying that the ſaid Pariſh may remain in the State and Condition it is now in; and that the Petition from the Pariſh of *St. David*, in the ſaid County, praying that ſome of the Tithables of *St. Margaret's* Pariſh may be added to the Pariſh of *St. David*, in Order to make the Number of Tithables in each Pariſh equal, may be rejected; was preſented to the Houſe, and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinions thereon, to the Houſe.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For eſtabliſhing a more eaſy and expeditious Method for the Trial of Criminals, and of Cauſes depending in the General Court; and it is referred to Mr *Richard Henry Lee* and Mr *Bland* to prepare and bring in the ſame.

40 Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that the ſaid Committee had had under their Conſideration divers Propoſitions and Petitions from ſeveral Counties to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, and are as follow:

Reſolved, That the Petition of ſundry Inhabitants of the Pariſhes of *Dettingen* and *Hamilton*, in the Counties of *Prince William* and *Fauquier*, praying that thoſe two Pariſhes may be divided into three diſtinct Pariſhes, according to the Lines and Bounds in the ſaid Petition particularly expreſſed, be rejected.

Reſolved, That the Petition of ſundry Inhabitants of the Counties of *Fairfax* and *Loudoun*, praying that the publick Warehouſes for the Inſpection of Tobacco at *Occoquan*, in the ſaid County of *Fairfax*, may be diſcontinued, and that new Warehouſes may be eſtabliſhed at the Town of *Colcheſter*, in the ſaid County, is reaſonable.

Ordered, That it be an Inſtruction to the Committee of Propoſitions and Grievances to whom it is referred to prepare and bring in a Bill For amending and further continuing the Act for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms, that they receive a Clauſe or Clauſes purſuant to the 2d Reſolution.

Mr *Attorney* alſo reported that the ſaid Committee had had under their further Conſideration the Petition of ſundry Inhabitants of the County of *Hampſhire* to them recommitted, praying that a Town may he laid off and eſtabliſhed at a Place called *Tucker's Plantation*, on the Land of Lord *Fairfax*, in the ſaid County, and had come to a Reſolution thereon.

Reſolved, That the ſaid Petition be rejected.

Two *Petitions* from the Town of *Dumfries*, in the County of *Prince William*, praying that new Warehouſes for the Inſpection of Tobacco may be built on Lots No. 172 and 174, in the ſaid Town, and to be under one and the ſame Inſpection; and that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Alſo a *Petition* of ſeveral Merchants, Commanders of Ships, and others, trading to the Town of *Dumfries*, in Oppoſition thereto.

Ordered

Ordered, That the ſaid Petitions be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof; and report the ſame, with their Opinion thereon, to the Houſe.

A *Petition* of *Charles Carter*, Eſq; ſetting forth that he is ſeized in Fee Taille of and in a Tract of Land, containing about 300 Acres, commonly called and known by the Name of *Norman's Ford*, in the County of *Culpeper;* and that he is alſo ſeized in Fee Simple of a Tract of Land, in the County of *King George*, containing about 700 Acres; and that it would be of great Advantage to the Petitioner, and the Heir in Taille, to dock the Entail of the ſaid 300 Acres of Land, and to ſettle the ſaid 700 Acres, which is of greater Value, to the ſame Uſes; and praying that an Act may paſs for that Purpoſe.

Ordered, That a Bill be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Bland* to prepare and bring in the ſame.

Mr *Cary*, from the Committee of Claims, reported that the Committee had had under their Conſideration the Petition of *John Buchanan* to them referred, and come to a Reſolution thereupon; which he read in his Place, and then delivered in at the Table, where the ſame was again twice read, and agreed to by the Houſe, as follows:

Reſolved, That the Petition of *John Buchanan*, praying to be allowed for his Services 41
in purchaſing Proviſions for the *Cherokees*, be rejected.

A *Petition* of ſeveral Merchants and others, in behalf of the Inſpectors at *Shockoe* and *Byrd's* Warehouſes praying that their Salaries may be augmented, adequate to their Trouble, was preſented to the Houſe and read, and ordered to lie on the Table.

A *Petition* from the County of *Caroline*, to alter the Execution Law; and that the Proprietors of all publick Warehouſes for the Reception of Tobacco may be obliged conſtantly to keep good and ſufficient Skiets to raiſe the Tobacco ſix Inches from the Ground, was preſented to the Houſe and read; and the Queſtion being put that the ſaid Petition be referred to a Committee,

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

Mr *Mercer* preſented to the Houſe, according to Order, a Bill For eſtabliſhing the Town of *Romney*, in the County of *Hampſhire;* and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

A *Bill* To oblige all Captains or Commanders of Veſſels, taking in Tobacco on Freight in this Colony, to make Publication of the Freight they ſhall ſail at, before their Loading ſhall be obtained, was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed and read a third Time.

Ordered, That Mr *George Johnſon* be added to the Committee for Courts of Juſtice.

The *Order* of the Day being read, for the Houſe to reſolve itſelf into a Committee to take into their further Conſideration the Governours Speech.

Reſolved, That this Houſe will again reſolve itſelf into the ſaid Committee on *Monday* next.

A *Petition* of the Juſtices of the County Court of *York*, ſetting forth that they have expended the Sum of £14 in repairing the publick Wharf at the Tobacco Inſpection at *York Town*, that the Rents of the Warehouſes at the ſaid Inſpection are inſufficient to reimburſe the ſaid Sum, and praying they may be allowed the ſame by the Publick, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereupon, to the Houſe.

A *Petition* of *Nathaniel Stedman*, a Soldier in Major *Lewis'* Company, in the late *Virginia* Regiment, ſetting forth that he was left at Fort *Pitt*, under the Command of Capt. *Waggoner*, in the Month of 1758, and on the 9th of *May* following he was taken Priſoner by the *Indians*, and carried into the Enemies Country, where he remained in Captivity until the 7th of *Auguſt*, in the Year 1761, when he made his Eſcape from the Savages; that on his Return back to his Regiment, he was taken ſick at

Yawyawgania

Yawyawgania, and continued there until he enlifted into the prefent Regiment; but the many Hardfhips he underwent during his Captivity, which was the Caufe of his long Sickneſs, difabled him joining his Corps before it was difbanded; and praying that this Houſe will take his Caſe into Conſideration, and order him his Pay, and ſome Satiſfaction for his Sufferings during his long Captivity among the Savages, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of Mr *Mercer* and Mr *Waſhington;* that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

And then the Houſe adjourned until Tomorrow Morning 11 *o'Clock.*

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42 # Friday, the 19th of November. 3 Geo. III. 1762.

SEVERAL *Members* returned upon new Writs, having taken the Oaths appointed to be taken by Act of Parliament, inſtead of the Oath of Allegiance and Supremacy, and taken and ſubſcribed the Oath of Abjuration, and alſo repeated and ſubſcribed the Teſt, took their Seats in the Houſe.

Several *Claims* of *Grief Randolph*, *William Tacket* and *John Galldhew*, for taking up Runaways therein mentioned, were ſeverally preſented to the Houſe and received, and referred to the Conſideration of the Committee of Claims.

A *Petition* of *William Purrel*, praying that he may be allowed for going Expreſs to the ſouth Branch of *Potowmack*, to the Captain of the *Prince William* Militia, by Order of the Commanding Officer of the ſaid County, and returning immediately back to the ſaid County.

Alſo a *Petition* of *John Poſey*, a Lieutenant in the *Virginia* Regiment, praying that he may be allowed for ſeveral Men enlifted by him, and deſerted after being legally paſſed, and his Ferriages and Charges, for all which he has proper Vouchers; and praying the Conſideration of the Houſe therein, were ſeverally preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Motion* was made for Leave to bring in a Bill To oblige the Juſtices of the County Court of *Prince William* to levy for the Inhabitants of *Fauquier* County their Proportion of a Sum of Money levied on the Tithables of the ſaid County of *Prince William* before it was divided, and laid out in the Purchaſe of Arms, now retained for the Uſe of the ſaid County at *Prince William;* and the Queſtion being put there upon,

It paſſed in the Negative.

A *Petition* of ſundry Attorneys practiſing in the ſeveral Courts of this Colony, praying that the *Act*, entitled, *An Act*[1] *for regulating the Practice of Attornies*, may be amended, and that their Fees may be made diſtrainable, and that they may receive ſuch other Redreſs as this Houſe ſhall think reaſonable, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with Opinion thereon, to the Houſe.

A *Petition* of *William Edwards* and *James Price*, Inſpectors at *Gray's* Creek Warehouſe, in the County of *Surry*, ſetting forth that the Salary allowed by Law is not a ſufficient Satiſfaction for their Trouble; and praying that their Salaries may be increaſed, ſo as to be adequate to the Trouble they are at in the Execution of their ſaid Office, was preſented to the Houſe and read, and ordered to lie on the Table.

Mr *Cary*, from the Committee of Claims, reported that the ſaid Committee had had under their Conſideration two Petitions to them referred, and had come to two Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again read, and are as follow:

Reſolved

[1] Hening, VI, p. 140.

Reſolved, That the Petition of *John Gatewood*, and others, Legatees, claiming under the Will of *John Gatewood*, deceaſed, to be allowed for *Tom*, a Negro Man Slave who was apprehended and committed for Burglary; and by Severity of the Weather during his impriſonment ſo froſtbitten that, though he was afterwards acquitted, his Legs were 43
cut off, and he died ſoon after, is reaſonable; and that they ought to be paid by the Publick the Sum of £80 for the ſaid Slave, and alſo the Sum of £11 16*s.* to reimburſe them for ſo much paid in endeavouring to cure the ſaid Slave.

Reſolved, That the Petition of Capt. *Thomas Bullett*, Capt. *John Blagg*, Capt. *William Fleming* and Enſign *James Walker*, Officers of the *Virginia* Regiment, to be reimburſed the Bounty Money and Subſiſtence of ſeveral Recruits by them enliſted for the ſaid Regiment, who deſerted before they arrived at the Place of Rendezvous, is reaſonable; and that they ought to be allowed the Sums following, viz. The ſaid *Thomas Bullett* the Sum of £ 41 16s. 8d. the ſaid *John Blagg* the Sum of £ 51 11s. 4d. the ſaid *William Fleming* the Sum of £ 20 8s. and the ſaid *James Walker* the Sum of £ 67, being the Sums ſeverally paid by them for the Bounty and Subſiſtence of the Recruits enliſted by the ſaid Officers reſpectively.

The *firſt* Reſolution being read a ſecond Time, was agreed to by the Houſe.

The *laſt* Reſolution being alſo read a ſecond Time, and the Queſtion put that the Houſe agree thereto,

It paſſed in the Negative.

On a *Motion* made,

Ordered, That ſo much of the Report as relates to the Petition of Capt. *Thomas Bullett*, and the other Officers therein mentioned, be recommitted to the ſaid Committee.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that the ſaid Committee had had under their Conſideration ſundry Propoſitions and Petitions to them referred, and had come to ſeveral Reſolutions thereupon; which he read in his Place, and then delivered in at the Table, where they were again read, and are as follow:

Reſolved, That the Petitions of ſundry Inhabitants of the County of *Prince William*, and of ſeveral Merchants, and other Traders, Inhabitants of the Town of *Dumfries*, in that County, praying that additional Warehouſes may be eſtabliſhed in the ſaid Town for the Reception of Tobacco, on the Lots therein mentioned, and numbered 172 and 174, to be put under one Inſpection with the preſent Warehouſes in the ſaid Town, be rejected.

Reſolved, That the Petition of ſundry other Inhabitants of the ſaid Town, and of divers Maſters of Ships trading thither, in Oppoſition thereto, is reaſonable.

Reſolved, That the Petition of ſundry Inhabitants of the Pariſh of *Frederick*, in the County of *Frederick*, praying that the ſaid Pariſh may be divided, be rejected.

Reſolved, That the Petition of ſundry Merchants and Tradeſmen of the County of *Fairfax*, praying that the Laws relating to Pedlars may be amended, and that they may be put under a better Regulation than they are at preſent, is reaſonable.

Reſolved, That the Petition of ſundry Inhabitants of the County of *Culpeper*, praying that the Court Day of that County may be altered from the third *Thurſday* to the fourth *Monday* in every Month, is reaſonable.

Reſolved, That the Petition of ſundry Inhabitants of the County of *Lunenburg*, praying that a Ferry may be eſtabliſhed from the Land of *Richard Fox*, over *Roanoke* River, to the Land of *James Blanton*, oppoſite thereto, is reaſonable.

The *fourth* and *laſt* Reſolution, being ſeverally read a ſecond Time, were agreed to by the Houſe.

The *firſt*, *ſecond* and *fifth* Reſolutions, being alſo read a ſecond Time, and the Queſ- 44
tion ſeverally put that the Houſe agree thereto,

It paſſed in the Negative.

Reſolved, That the ſaid Reſolutions of the ſaid Committee be rejected.

Ordered, That it be an Inſtruction to the Committee appointed to bring in a Bill For amending and further continuing the Act for amending the Staple of Tobacco, and preventing

preventing frauds in his Majeſty's Cuſtoms, that they receive a Clauſe or Clauſes purſuant to the firſt Reſolution.

Ordered, That a Bill or Bills be brought in purſuant to the 4th Reſolution, and it is referred to the Committee of Trade to prepare and bring in the ſame.

Ordered, That a Bill or Bills be brought in purſuant to the laſt Reſolution of the ſaid Committee, and it is referred to the Committee of Propoſitions and Grievances to prepare and bring in the ſame.

Mr *Cary*, from the Committee of Claims, reported that the ſaid Committee had had under their Conſideration an Account of Mr *Iſrael Chriſtian* againſt the Publick, to them referred, and had come to three Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, and are as follow:

On conſidering the ſaid Account, and the Vouchers thereto, it appeared to your Committee that one *Edmund Atkin*, Eſq; as Agent for, and Superintendent of, the Affairs of his Majeſty's Allies, the ſeveral Nations of *Indians* inhabiting the Frontiers of *Virginia*, *North* and *South Carolina*, and *Georgia*, and their Confederates, did grant a Commiſſion to one *Chriſtopher Gift*, deceaſed, bearing Date the 5th Day of *July*, 1757, appointing him Deputy Agent for *Indian* Affairs in this Colony, with an Allowance 10s. Sterling, or 12s. 6d. Current Money of *Virginia* a Day, payable out of the Money appropriated, or to be appropriated, by the Government thereof to *Indian* Service thereby, alſo empowering him, the ſaid *Gift*, in Caſe of the Death, Reſignation or Removal of either of the Conductors, Interpreters, or other Perſons, appointed by him the ſaid *Atkin*, to appoint another fit Perſon in his ſtead.

It appears to your *Committee*, by Virtue of the ſaid Commiſſion to the ſaid *Chriſtopher Gift*, he reciting the ſame, did, on the 1ſt Day of *January*, 1758, by Commiſſion, appoint the ſaid *Iſrael Chriſtian* to be Conductor to the *Indians* employed in his Majeſty's Service in this Colony, with an Allowance of 5s. a Day, payable out of the Money appropriated, or to be appropriated, to the ſouthern *Indian* Service; and that during the ſaid *Chriſtian's* acting under the ſaid Commiſſion from the ſaid *Gift*, moſt of the Articles and Charges in the ſaid Account now before your Committee accrued.

It appears to your *Committee* that the ſaid *Chriſtian* always expected a Settlement and Payment of the ſaid Account from the ſaid *Gift*, who extracted thereout ſundry Articles, amounting to the Sum of £ 162 18s. 3d. which with the Vouchers for the ſame were carried and preſented to Major General *Amherſt*, who on Account of the Crown allowed and paid to the ſaid *Chriſtian* the Sum of £49. 13s. 3d. in Part of the ſaid Account ſo preſented, the ſame being for Goods and Merchandize, delivered the *Indians* by the ſaid *Chriſtian;* the Reſidue of the ſaid Account being £ 113. 5s. for Caſh paid Conductors of *Indians*, was diſallowed.

It appears to your *Committee* that the ſaid *Iſrael Chriſtian* hath delivered Goods and Merchandize to the *Indians*, amounting to £ 99. 14s. and a Halfpenny; and that the
45 Reſidue of the ſaid Account now before your Committee amounting to £ 182 15s. 6d. Halfpenny, is Part of it for Caſh paid by him for Horſes and Horſe Hire for *Indians*, to ſeveral Perſons, due before, though paid by him ſince his Commiſſion from *Gift;* and the Reſidue of his Wages at 5s. a Day, as a Conductor, and for Caſh paid other Conductors of *Indians*.

Reſolved, That the ſaid *Iſrael Chriſtian* ought to be paid by the Publick the Sum of £ 99. 14s. and a Halfpenny, for ſundry Goods, Wares and Merchandizes, delivered by him to the *Indians* as by his ſaid Account appears.

Reſolved, That the Sum of £ 132 5s. the ſaid *Chriſtian's* Pay, as Conductor to the *Indians*, be rejected, not being a publick Charge.

Reſolved, That the Sum of £ 50. 10s. 6d. Halfpenny (including £ 22 diſallowed by Major General *Amherſt*) for ſo much Caſh paid by the ſaid *Chriſtian* to ſeveral *Indian* Conductors, and for Horſes and Horſe Hire, be rejected, not being a publick Charge.

A *Petition* of *Henry Peyton*, ſetting forth that at a former Seſſion of this preſent General Aſſembly he preferred a Petition to this Houſe, complaining of an undue Election

and

and Return of Mr *John Baylis* and Mr *Henry Lee*, to ſerve as Burgeſſes for the County of *Prince William*, and therein charged the Sheriff of the ſaid County with Malepractices for cloſing the Poll on the firſt Day of the Election, contrary to an Agreement entered into, with his Aſſent, by all the Candidates at that Election, that the Poll ſhould be adjourned, and not cloſed until the ſecond Day; and praying Leave of this Houſe to withdraw ſo much of his ſaid Petition as relates to the Sheriff's Agreement aforeſaid, and that he may be permitted to proceed with a Scrutiny of the Poll only, was preſented to the Houſe and read; and the Queſtion being put that the ſaid Petition be agreed to,

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

A *Petition* of *Robert M'Mahan*, of the County of *Auguſta*, ſetting forth that in *April* 1758, a Party of *Cherokee* Indians, in their March through that County, came to the Petitioner's Houſe, and violently took from him ſundry Goods, to the Value of £20, which he has never been able to recover; and praying the Conſideration of the Houſe therein, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Saturday, the 20th of November, 3 Geo. III. 1762.

TWO *Claims* of *James Brown* and *Charles Tinſley*, for taking up Runaways therein mentioned, were preſented to the Houſe and received, and referred to the Conſideration of the Committee of Claims.

A *Petition* of ſundry Inhabitants of the ſeveral Pariſhes in the County of *Lunenburg*, ſetting forth that the ſaid County is ſo very large and extenſive that the Legiſlature thought it expedient and neceſſary to divide the ſame into three diſtinct Pariſhes, *viz*: *Cornwall*, *St. James* and *Cumberland*; that in each of the ſaid Pariſhes is a very ſufficient Number of Tithables to ſupport and maintain the Expenſe of a County, and praying that each of the ſaid Pariſhes may be erected into a diſtinct County, and that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee 46
of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, preſented to the Houſe, according to Order, a Bill To oblige the Juſtices of the County of *Albemarle*, to refund to the Counties of *Amherſt* and *Buckingham* their juſt Proportion of the Money paid for Weights and Meaſures before the Diviſion of the ſaid County of *Albemarle;* and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Alſo a *Bill* For diſſolving the Veſtry of the Pariſh of *Hampſhire*, in the County of *Hampſhire*, and electing a new Veſtry in the ſaid Pariſh; and the ſame were ſeverally read the firſt Time, and ordered to be read a ſecond Time.

The Houſe being informed that Mr *Thomas Bailey*, one of the Members for the County of *Surry*, was at the Time of his Election Sheriff for the ſaid County;

Ordered, That the ſaid Information be referred to the Conſideration of the Committee of Privileges and Elections; that they examine into Matters thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Bill* For dividing the Pariſh of *Accomack*, in the County *Accomack*, into two diſtinct Pariſhes, was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time

A *Bill* For eſtabliſhing the Town of *Romney*, in the County of *Hampſhire*, was read a ſecond Time, and committed to Mr *Richard Henry Lee* and Mr *Henry Lee*; and

On a *Motion* made,

Ordered, That it be an Inſtruction to the ſaid Committee that they receive a Clauſe or Clauſes to add ſeveral Lots laid off by *John Randolph*, Eſq; adjoining to the City of *Williamſburg*, to the ſaid City; and to exempt certain Perſons holding marſhy Lots in the Town of *Dumfries* from building thereon.

Ordered, That Mr *Dandridge* have Leave to be abſent from the Buſineſs of this Houſe ten Days.

An *Account* of *William Sewell*, Keeper of the Gaol of the County of *Fairfax*, praying to be paid his Fees for ſundry Perſons committed to the ſaid Gaol in the Years 1754 and 1755, was preſented to the Houſe and received, and referred to the Conſideration of the Committee of Claims.

A *Bill* For building a Bridge over *Nottoway* River, from the Land of *Jeſſe Brown*, by Subſcription, was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

And then the Houſe adjourned until Monday Morning 11 o'Clock.

Monday, the 22nd of November, 3 Geo. III. 1762.

MR *Landon Carter*, from the Committee for Courts of Juſtice, preſented to the Houſe, according to Order, a Bill For further continuing and amending the *Act*, entitled, *An Act*[1] *for the better regulating and collecting certain officers fees, and for other Purpoſes therein mentioned*; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For Relief of inſolvent Debtors, for the effectual Diſcovery, and more equal Diſtribution of their Eſtates; and it is referred to Mr *Richard Henry Lee* and Mr *Bland* to prepare and bring in the ſame.

47 A *Petition* of the Inſpectors at the ſeveral Warehouſes in the County of *New Kent*, ſetting forth that the Buſineſs at their reſpective Warehouſes is of late Years very much increaſed, and praying their Salaries may be enlarged, was preſented to the Houſe and read.

Ordered, That the ſaid Petition do lie on the Table.

A *Petition* of the Inſpectors of *Guilford* Warehouſe, in the County of *Accomack*, and ſundry other Inhabitants of that County, ſetting forth that the preſent Warehouſe is in a ruinous Condition, and has been ſo often repaired that it will admit of no further Reparation; and praying that a new One may be erected at a Place called *Tinley's Point*, on *Hunting* Creek, and that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Ordered, That that the ſaid Petition be referred to the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Petition* of *George Parker*, ſetting forth that *Richard Bennet*, late of *Maryland*, Eſq; by his laſt Will and Teſtament, bearing Date the 25th Day of *September*, in the Year 1749, among other Bequeſts, gives unto one *George Parker* of the County of *Accomack*, in this Colony, and his Heirs, all his Lands and Plantations, as well as thoſe on *Bennet's* Creek, in *Nanſemond* County, as elſewhere in the ſaid Colony, and alſo all his Negro and Mulatto Slaves in the ſaid Colony, his Stock of horned Cattle, Sheep, Hogs, Horſes and Horſe Kind, and all other his perſonal Eſtate, that at the Time of his Death ſhould be upon his ſaid Lands, in Truſt, for the raiſing the Sum of £ 30 *Virginia* Current Silver Money annually for ever, and paying the ſame to the Churchwardens of the Pariſh

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[1] Hening, V, p. 326.

Pariſh wherein the ſaid Lands lie, now called the lower Pariſh of *Nanſemond;* which ſaid annual Sum is to be paid at the Church Door of the ſaid Pariſh to the Churchwardens on the 25th of *March* in every Year, and to be applied towards clothing ſuch and ſo many poor People as the Veſtry and the Churchwardens of the ſaid Pariſh ſhould judge to be moſt needy, and then to the further Uſe of the ſaid *George Parker*, and the Heirs of his Body, and for Want of ſuch Iſſue to the Uſe of the Teſtator's right Heirs, for ever, ſubject nevertheleſs to the ſaid annual Payment of £ 30: That the Petitioner is Son and Heir at Law of the ſaid *George Parker*, and that ſince his Father's Deceaſe Colonel *Richard Bland*, a Member of this Houſe, recovered from the Petitioner the ſaid Land on *Bennet's* Creek (which was all the Land left the Petitioner's Father by the ſaid Will) ſo that the Petitioner, who now lives in the County of *Accomack*, on the Eaſtern Shore of this Colony, has been obliged for ſome Time paſt, and without the Interpoſition of the Legiſlature, he apprehends, will ſtill be obliged, to take a long Journey of 130 Miles once every Year to comply with the Directions of the ſaid Will, to pay the ſaid Annuity to the Churchwardens at the Church Door of the ſaid Pariſh, which ſeems to be repugnant to the Intention of the Teſtator, who thought he had, by giving his ſaid Father the Lands on *Bennet's* Creek, enabled him to perform the ſaid Bequeſt with Convenience; and praying that an Act may paſs to enable him to make one Payment of £ 600 to the Churchwardens of the ſaid Pariſh, in Lieu of the ſaid perpetual Annuity of £ 30, and that the Churchwardens may be obliged to lay out the ſame in Purchaſe of Lands, or other ſufficient Security for ſaid annual Payment; and that the Petitioner may be empowered to diſpoſe of the Reſidue of the ſaid Bequeſt made to his Father, the better to enable him to make the ſaid Payment, was preſented to the Houſe and read.

Ordered, That a Bill or Bills be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Parramore* to prepare and bring in the ſame.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, preſented to the Houſe, according to Order, a Bill To amend the Act, entitled, *An Act*[1] *to oblige the Owners of Mills, Hedges, or Stone Stops, on ſundry Rivers therein mentioned, to make Openings or Slopes therein for the Paſſage of Fiſh, and for other Purpoſes therein mentioned.* 48

Alſo a *Bill* For eſtabliſhing the Town of *Mecklenburg*, in the County of *Frederick*.

Alſo a *Bill* For adding Part of the County of *King* and *Queen* to the County of *Caroline*, and for altering the Court Day of *King* and *Queen*.

Alſo a *Bill* For dividing the Pariſh of *Nottoway*, in the County of *Southampton*.

And the ſaid *Bills* were ſeverally read the firſt Time, and ordered to be read a ſecond Time.

Ordered, That Mr *Iſrael Chriſtian* have Leave to be abſent the Remainder of this Seſſion.

Mr *Cary*, from the Committee of Claims, reported, according to Order, that the ſaid Committee had had under their further Conſideration the Petition of Capt. *Thomas Bullet*, Capt. *John Blagg*, Capt. *William Fleming* and Enſign *James Walker*, Officers of the *Virginia* Regiment, to them recommitted, and had come to a Reſolution thereon; which he read in his Place, and then delivered in at the Table, where the ſame was again twice read and agreed to by the Houſe, and is as follows:

Reſolved, That the Petition of the ſaid Officers, to be reimburſed the Bounty Money and Subſiſtence of ſeveral Recruits by them enliſted for the ſaid Regiment, who deſerted before they arrived at the Place of Rendezvous, is reaſonable; and that they ought to be allowed the Sums following, *viz.* The ſaid *Thomas Bullett* the Sum of £41. 16*s.* 8*d.* the ſaid *John Blagg* the Sum of £51. 11*s.* 4*d.* the ſaid *William Fleming* the Sum of £20. 8*s.* and the ſaid *James Walker* the Sum of £67, being the Sums ſeverally paid by them for the Bounty and Subſiſtence of the Recruits enliſted by the ſaid Officers reſpectively, to be paid out of the Money raiſed in Purſuance of an Act of Aſſembly, entitled *An Act*[2] *for granting an Aid to his Majeſty, and for other Purpoſes therein mentioned.*

An *Account* of *John Roſs* for 674 lbs. of Pork for the Uſe of the Garriſon of was preſented to the Houſe and received.

Ordered, That the ſaid Account be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Ordered

[1] Hening, VII, p. 409.

[2] Not in Hening.

Ordered, That Mr *Wormeley*, Mr *Walker*, be added to the Committee of Propoſitions and Grievances, Mr *Wormeley* to the Committee of Privileges and Elections, Mr *Read* and Mr *Walker* to the Committee of Claims, and Mr *Terry* to the Committee of Trade.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For deſtroying Crows and Squirrels; and it is referred to Mr *Cary*, Mr *Richard Henry Lee* and Mr *Henry Lee*, to prepare and bring in the ſame.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported, according to Order, that the ſaid Committee had had under their Conſideration divers Propoſitions and Petitions from ſeveral Counties to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again read, and are as follow:

49 *Reſolved*, That the ſeveral Petitions of ſundry Inhabitants of the County of *Lunenburg*, praying that the ſaid County may be divided into three diſtinct Counties, according to the Boundaries of the three Pariſhes therein, and that the ſaid three Pariſhes may be ſeverally erected into a diſtinct County are reaſonable.

Reſolved, That ſo much of the Petition of ſundry Attornies as prays that their Fees may be enlarged, is reaſonable.

Reſolved, That ſo much of the ſaid Petition as prays that their Fees may be made diſtrainable, is reaſonable.

The *firſt* Reſolution being read a ſecond Time, was agreed to by the Houſe.

The *ſecond* and *laſt* Reſolutions being alſo read a ſecond Time, and the Queſtion put that the Houſe do agree thereto,

It paſſed in the Negative.

Reſolved, That the ſaid Petitions be rejected.

Ordered, That it be an Inſtruction to the ſaid Committee to prepare and bring in a Bill, purſuant to the firſt Reſolution.

An engroſſed *Bill*, entitled, *An Act*[1] *for dividing the Pariſh of* Accomack, *in the County of* Accomack, *into two diſtinct Pariſhes*, was read a third time, and the Blanks therein filled up.

Reſolved, That the Bill do paſs.

Ordered, That Mr *Attorney* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[2] *for building a Bridge over* Nottoway *River, from the Land of* Jeffe Brown, *by Subſcription*, was read a third Time, and the Blanks therein filled up.

Reſolved, That the Bill do paſs.

Ordered, That Mr *Lemuel Riddick* do carry up the ſaid Bill to the Council for their Concurrence.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee, to take into their further Conſideration the Governour's Speech.

Reſolved, That this Houſe will again reſolve itſelf into the ſaid Committee tomorrow.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Tuesday, the 23rd of November, 3 Geo. III. 1762.

A *Petition* of ſundry Inhabitants of the County of *Buckingham*, ſetting forth that the Petitioners have heretofore experienced the great Utility of quarterly Courts, formerly eſtabliſhed in ſeveral Counties of this Colony, and found the Method of carrying on Buſineſs in thoſe Courts to have been much more convenient and expeditious, as well as leſs expenſive, than the monthly Courts; and praying that, inſtead of the ſaid monthly Courts now held, quarterly Courts may be eſtabliſhed in the ſeveral Counties of this Colony, was preſented to the Houſe and read.

Ordered

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[1] Hening, VII, p. 614.

[2] *Ibid.*, VII, p. 623.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To empower the Veſtry of *Bruton* Pariſh to ſell three Lots in *Williamſburg*, and to lay out the Money for the Benefit of the Poor of the ſaid Pariſh; and it is referred to Mr *Attorney* to prepare and bring in the 50
ſame.

A *Petition* of ſundry Inhabitants of the County of *Cumberland*, ſetting forth that the Proſecution of Suits in the County Courts, under the preſent Regulation, is become burthenſome, not only from the Delay of Buſineſs, but alſo from the extraordinary Expenſe attending ſuch Delay; and praying that ſome Method may be eſtabliſhed by which Suits might be carried to iſſue, and prepared for Trial in the Clerk's Office, as is practiſed in the General Court, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Ordered, That Mr *Bernard Moore* be added to the Commmittees of Propoſitions and Grievances and Privileges and Elections, and Mr *Dalby* to the Committee for Courts of Juſtice.

A *Petition* of *George Heale*, ſetting forth that he is ſeized and poſſeſſed in Fee Taille, under the laſt Will and Teſtament of his Uncle *John Heale*, deceaſed, of 67 Slaves, and of but four others of his own Purchaſe; that he is alſo ſeized in Fee of a Tract of Land, containing about 1130 Acres, in the County of *Fauquier*, which he purchaſed of one *Thomas Edwards;* that having ſeveral Children, beſides his eldeſt Son and Heir apparent of his Body, it will not be in his Power to make any reaſonable Proviſion for his younger Children unleſs he is enabled to diſpoſe of ſome of his entailed Slaves; and praying that an Act may paſs to dock the Entail of the ſaid Slaves, and to ſettle the ſaid Tract of Land, which will be of much more Advantage to the Heir in Taille, in Lieu thereof, to the ſame Uſes, was preſented to the Houſe and read.

Ordered, That a Bill be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Attorney* to prepare and bring in the ſame.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, preſented to the Houſe, according to Order, a Bill For dividing the County of *Lunenburg* into three diſtinct Counties; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* of ſundry Inhabitants of the County of *Dinwiddie*, ſetting forth that there is an abſolute Neceſſity for another Inſpection of Tobacco on the River *Appomattox;* and praying that an Act may paſs to eſtabliſh one at *Fiſher's* Landing, on the ſaid River.

Alſo a *Petition* of ſundry Inhabitants of the County of *Prince George*, to the ſame Effect, were ſeverally preſented to the Houſe and read.

Ordered, That the ſaid Petitions be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Petition* of the Juſtices of *James City* County, ſetting forth that the Proprietors of the publick Warehouſes at *Hog Neck* having, purſuant to their Orders, built a Wharf there for the Convenience of receiving and ſhipping Tobacco inſpected at the ſaid Warehouſe, they levied on the Inhabitants of their ſaid County, and paid the ſaid Proprietors, the Sum of £6 for the ſame; and praying that, as the Rents of the ſaid Warehouſes are not ſufficient to repay them, they may be reimburſed by the Publick, was preſented to the Houſe and read, and committed to the Conſideration of the Committee of Claims.

A *Petition* of the Inſpectors of Tobacco at Colonel *Robert Bolling's* Warehouſe, in 51
the County of *Dinwiddie*, praying that their Salaries may be increaſed, equal to their Labour, was preſented to the Houſe and read.

Ordered, That the ſaid Petition do lie on the Table.

A

A *Petition* of ſundry Inhabitants of the Counties of *Dinwiddie*, *Amelia*, *Brunſwick*, *Lunenburg* and *Halifax*, praying that a new Inſpection for Tobacco may be eſtabliſhed on the Land of *Robert Bolling*, Gentleman, between the two Towns of *Peterſburg* and *Blandford*, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that the ſaid Committee had had under their Conſideration a Petition from the County of *Accomack* to them referred, praying that the publick Warehouſes at *Guildford* may be diſcontinued and that new Warehouſes may be eſtabliſhed at *Finley's* Point, on *Hunting* Creek, in the ſame County, and had come to a Reſolution thereon; which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe, as follows:

Reſolved, That the ſaid Petition be rejected.

Ordered, That the Commiſſioners appointed by Act of Aſſembly for ſettling the Accounts relating to the Regiment be directed to allow the Officers who recruited the Regiment for ſuch Men who were recruited by them and paid the enliſting Money, and deſerted before they could be carried to the Place of Rendezvous.

Ordered, That Mr *William Johnſon* be added to the Committee of Claims.

A *Petition* of ſundry Inhabitants of the Pariſh of *Albemarle*, in the County of *Suſſex*, in Oppoſition to a Petition to be preſented for dividing the ſaid Pariſh into two diſtinct Pariſhes, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof; and report the ſame, with their Opinion thereon, to the Houſe.

An engroſſed *Bill*, entitled, *An Act*[1] *to oblige all Captains or Commanders of Veſſels, taking in Tobacco on Freight in this Colony, to make Publication of the Freight they ſhall fail at, before their Loadings ſhall be obtained*, was read a third Time, and the Blanks therein filled up; and the Queſtion being put that the ſaid Bill do paſs,

It paſſed in the Negative.

Reſolved, That the ſaid Bill be rejected.

A *Bill* For the more effectual keeping the publick Roads and Bridges in Repair was read the ſecond Time, and ordered to be committed to a Committee of the whole Houſe Tomorrow.

Mr *Cary*, from the Committee of Claims, reported that the ſaid Committee had had under their Conſideration ſeveral Matters to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where the ſame were again twice read, and agreed to by the Houſe, and are as follow:

Reſolved, That the Petition of the Juſtices of *York* County, to be paid the Sum of £14 by them expended in repairing the publick Wharf at the Inſpection of Tobacco at
52 *York Town*, in that County, is reaſonable; and that they ought to be allowed the ſaid Sum of £14, the Rents of the ſaid Warehouſe not being ſufficient to reimburſe them the ſame.

Reſolved, That *William Purcell* ought to be allowed the Sum of *£2. 5s. 8d.* as Aſſignee of *Giles Burdett*, for the Expreſs in his Petition mentioned.

Reſolved, That the Claim of *William Sewell*, for the Priſon Fees of ſeveral Soldiers in the Years 1754 and 1755, be rejected.

Reſolved, That the Petition of *John Poſey*, Lieutenant in the *Virginia* Regiment, to be allowed ſundry Expenſes for enliſting and ſubſiſting ſeveral Recruits for the *Virginia* Regiment, and for the Bounty Money paid ſome of the ſaid Recruits, and for Caſh paid, the Reward and Priſon Fees paid for one of the ſaid Recruits who deſerted, and alſo for a Doctor for Medicines adminiſtered to them when ſick, is reaſonable.

Reſolved

[1] Not in Hening .

Reſolved, That the ſaid *John Poſey* ought to be allowed the Sum of *£76. 14s. 10d.* the Balance of the Bounty Money and Subſiſtence of the ſaid Recruits.

Reſolved, That the ſaid *John Poſey* ought to be allowed the Sum of *£8. 4s. 9d.* the Balance of the Doctor's Account.

Reſolved, That the ſaid *John Poſey* ought to be allowed the Sum of *£22. 3s. 1d.* for Ferriage for himſelf, Parties and Recruits, paid by him, the ſaid Recruits being enliſted in *Maryland* and *Pennſylvania*.

Reſolved, That the ſaid *John Poſey* ought to be allowed the Sum of *£7. 14s. 4d.* Halfpenny, paid by him for Priſon Fees, and the Reward for taking up *John Berry*, a deſerted Soldier.

Reſolved, That the ſeveral Sums allowed to the ſaid *John Poſey* ought to be paid out of the Money raiſed in Purſuance of an Act, entitled *An Act*[1] *for granting an Aid to his Majeſty*.

Ordered, That Mr *Southy Simpſon* have Leave to be abſent from the Buſineſs of this Houſe for 15 Days.

A *Bill* To oblige the Juſtices of the County of *Albemarle* to refund to the Counties of *Amherſt* and *Buckingham* their juſt Proportion of the Money paid for Weights and Meaſures before the Diviſion of the ſaid County of *Albemarle*, was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Bill* For further continuing and amending the Act, entitled, *An Act*[2] *for the better regulating and collecting certain Officers Fees, and for other Purpoſes therein mentioned*, was read a ſecond Time, and committed to a Committee of the whole Houſe on *Monday* next.

A *Bill* To amend the Act, entitled *An Act*[3] *to oblige the Owners of Mills, Hedges, or Stone Stops, on ſundry Rivers therein mentioned, to make Openings or Slopes therein for the Paſſage of Fiſh, and for other Purpoſes therein mentioned*, was read a ſecond Time, and committed to the Committee of Propoſitions and Grievances.

A *Bill* For adding Part of the County of *King* and *Queen* to the County of *Caroline*, and for altering the Court Day of the ſaid County of *King* and *Queen*, was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Bill* For diſſolving the Veſtry of the Pariſh of *Hampſhire*, in the County of *Hampſhire*, and electing a new Veſtry in the ſaid Pariſh, was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Bill* For eſtabliſhing the Town of *Mecklenburg*, in the County of *Frederick*, was 53
read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Bill* For dividing the Pariſh of *Nottoway*, in the County of *Southampton*, was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

The *Order* of the Day being read, for the Houſe to reſolve itſelf into a Committee, to take into their further Conſideration the Governour's Speech.

Reſolved, That the Houſe will again reſolve itſelf into the ſaid Committee on *Friday* next.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To amend the Act, entitled, *An Act*[4] *for encouraging Arts and Manufactures;* and it is referred to Mr *Wythe* and Mr *Attorney* to prepare and bring in the ſame.

Mr *Cary*, from the Committee appointed, preſented to the Houſe, according to Order a Bill For deſtroying Crows and Squirrels; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Wednesday

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[1] Not in Hening. [2] Hening, V, p. 326. [3] *Ibid.*, VII, p. 321. [4] *Ibid.*, VII, p 288.

Wednesday, the 24th of November, 3 Geo. III. 1762.

AN engroſſed *Bill*, entitled, *An Act*[1] *for dividing the Pariſh of* Nottoway, *in the County of* Southampton, was read a third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Gray* do carry up the ſaid Bill to the Council for their Concurrence.

Two *Claims* of *William Barham* and *Anthony Robinſon*, for taking up Runaways therein mentioned, were preſented to the Houſe and read, and referred to the Conſideration of the Committee of Claims.

Alſo a *Claim* of *David Swilling*, praying that he may be allowed for a Horſe impreſſed by Order of Colonel *Spotſwood*, deceaſed, for the Uſe of the Militia in the Year 1755, and for 16 Days Attendance as a Phyſician on *William Wilmore*, a Soldier, in a nervous Diſorder, by the Directions of the ſaid Colonel *Spotſwood*, was preſented to the Houſe and read.

Ordered, That the ſaid Committee be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereupon, to the Houſe.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, preſented to the Houſe, according to Order, a Bill For enlarging the Town of *Alexandria*, in the County of *Fairfax*.

Alſo a *Bill* For appointing Directors and Truſtees for the Town of *Blandford*, in the County of *Prince George*, and to prevent Hogs running at large therein; and the ſame were read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* of *John Palmer*, praying that he may be allowed for a Horſe and Bridle impreſſed by Order of the Commanding Officer of *Fairfax* Militia in 1756, and for which he has received no Satiſfaction, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinions thereupon, to the Houſe.

A *Memorial* of *Andrew Lewis*, ſetting forth that he entered into the Service of this
54 Colony ſo early as the Year 1754, when the *Virginia* Regiment was firſt eſtabliſhed, and continued in it until laſt Spring, when it was reduced, during which Time he flatters himſelf he has behaved well; that your Memorialiſt was taken Priſoner in 1758 by the Savages before Fort *Du Queſne*, and delivered over to the *French*, who committed him a cloſe Priſoner in the Gaol of *Quebeck*, where he remained 16 Months; that his long Abſence from his domeſtick Affairs, and the great and neceſſary Expenſes he was obliged to ſubject himſelf to during his Captivity, in Order to ſupport his Rank, has greatly impoveriſhed his private Fortune; and humbly praying this Houſe will take his Caſe into Conſideration, was preſented to the Houſe and read.

Ordered, That the ſaid Memorial be referred to the Conſideration of Mr *Waſhington*, Mr *Wilſon*, Mr *Mercer*, Mr *Fitzhugh* and Mr *George Johnſton;* that they examine into the Allegations thereof, and report the ſame, with their Opinion thereupon, to the Houſe.

Ordered, That Mr *Walker* have Leave to be abſent from the Buſineſs of this Houſe 14 Days.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that the ſaid Committee had had under their Conſideration divers Propoſitions to them referred, and had come to ſeveral Reſolutions thereupon; which he read in his Place, and then delivered in at the Table, where the ſame were again twice read, and agreed to by the Houſe, and are as follow:

Reſolved, That the ſeveral Petitions of ſundry Inhabitants of the Counties of *Dinwiddie*, *Amelia*, *Brunſwick*, *Lunenburg*, and *Halifax*, praying that Warehouſes for the Reception

[1] Hening, VII., p. 618.

Reception of Tobacco may be built, and a new Inſpection eſtabliſhed, on the Land of *Robert Bolling*, Gentleman, on *Appomattox* River, between *Blandford* and *Peterſburg*, are reaſonable.

Reſolved, That the ſeveral Petitions of ſundry Inhabitants of the Counties of *Suſſex*, *Prince George*, *Dinwiddie* and *Southampton*, praying that Warehouſes for the Reception of Tobacco may be built, and a new Inſpection eſtabliſhed, at *Fiſher's* Landing, on the ſaid River *Appomattox*, be rejected.

Ordered, That it be an Inſtruction to the Committee of Propoſitions and Grievances, who are to bring in a Bill For further continuing and amending the Staple of Tobacco, That they receive a Clauſe or Clauſes purſuant to the firſt Reſolution.

Mr *Cary*, from the Committee of Claims, reported that the ſaid Committee had had under their Conſideration two Petitions to them referred, and had come to two Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, and are as follow:

Reſolved, That the Petition of *Robert M'Mahan*, to be allowed for Damages done him by the *Indians*, is reaſonable, and that he ought to be paid the Sum of *£20. 2s.* for the ſame.

Reſolved, That the Petition of the Juſtices of *James City* County, to be paid for building a Wharf at *Hog Neck* Warehouſe, in that County, is reaſonable; and that they ought to be allowed the Sum of £6 for the ſame, the Rents of the ſaid Warehouſe being inſufficient to reimburſe them the Expenſe thereof.

Ordered, That it be an Inſtruction to the Committee of Claims to make the ſaid Allowances in the Book of Claims, purſuant to the ſaid Reſolutions.

A *Petition* of *Carter Henry Harriſon*, and ſundry other Inhabitants of the Counties of *Cumberland* and *Buckingham*, praying that an Act may paſs to empower the ſaid *Carter Henry Harriſon* to build a Griſt Mill over *Willis's* Creek, which runs through his Land, and to erect a Dam acroſe the ſame, was preſented to the Houſe and read. 55

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report their ſame, with their Opinion thereon, to the Houſe.

A *Motion* being made, and the Queſtion put that Leave be given to bring in a Bill To relieve ſundry Perſons whoſe Lands have been injured by cutting down their Timber to build Fort *Loudoun*,

It paſſed in the Negative.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill For the more effectual keeping the publick Roads and Bridges in Repair.

Reſolved, That this Houſe will again reſolve itſelf into the ſaid Committee on *Friday* next.

An engroſſed *Bill*, entitled, *An Act*[1] *for diſſolving the Veſtry of the Pariſh of* Hampſhire, *in the County of* Hampſhire, *and electing a new Veſtry in the ſaid Pariſh*, was read a third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[2] *for adding Part of the County of* King *and* Queen *to the County of* Caroline, *and for altering the Court Day of the ſaid County of* King *and* Queen, was read the third Time and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Pendleton* do carry up the ſaid Bill to the Council for their Concurrence.

Mr *Cary*, from the Committee of Claims, reported that the ſaid Committee had had under their Conſideration ſundry Accounts for Neceſſaries furniſhed the *Indians*, and for Conductors Pay for them, during the Campaign under General *Forbes*, in the Year 1758

[1] Hening VII, p. 616.

[2] *Ibid.*, VII, p. 620.

1758, to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again read, and are as follow:

Reſolved, That it is the Opinion of this Committee that *Thomas Rutherford* ought to be allowed the Sum of *£61. 6s. 9d.* Halfpeny, for Goods and Proviſions furniſhed the *Indians*.

Reſolved, That the Balance of the ſaid *Rutherford's* Account, being *£12*, for Conductors Pay and Expenſes, be rejected.

Reſolved, That *Everhart Deering* ought to be allowed the Sum of £30. 15s. 9d. Halfpeny, for Proviſions furniſhed the *Indians*.

Reſolved, That *George Laubinger* ought to be allowed the Sum of *£19. 9s. 3d.* Halfpeny, for Proviſions furniſhed the *Indians*.

Reſolved, That the Claim of *John Don*, for a Quarter Caſk of Wine furniſhed the *Indians*, be rejected.

The *firſt*, *ſecond*, *third* and *fourth* Reſolutions, being ſeverally read a ſecond Time, were agreed to by the Houſe.

The *laſt* Reſolution being alſo read a ſecond Time, and the Queſtion put that the Houſe agree thereto,

It paſſed in the Negative.

Ordered, That the ſame be recommitted to the ſaid Committee, to value the Wine in the Reſolution mentioned, and to report the ſame to the Houſe.

56 A *Bill* For deſtroying Crows and Squirrels was read a ſecond Time, and committed to the Committee of Propoſitions and Grievances.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Thurſday, the 25th of November, 3 Geo. III. 1762.

MR *Bland*, from the Committee of Privileges and Elections, reported that the ſaid Committee had had under their Conſideration the Information referred to them concerning the late Election of Mr *Thomas Bailey* to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Surry*, and had agreed on a Report, and come to two Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

It appears to your *Committee* that *John Peter*, late High Sheriff of the ſaid County of *Surry*, formed the Office of Sheriff to one *Thomas Cocke*, who employed the ſaid Mr *Bayley*, upon ſtanding Wages, to execute the Office of Under Sheriff with him for two Years: That in the Month of *Auguſt* laſt *Thomas Wilſon* was appointed and ſworn High Sheriff of the ſaid County, at which Time there was one Month remaining unexpired of the Time the ſaid Mr *Bayley* had undertaken to execute the ſaid Office for the ſaid *Thomas Cocke;* and that, by Permiſſion of the ſaid *Thomas Wilſon*, he ſwore in as Under Sheriff, to enable him to complete the ſaid Term of two Years, according to his Agreement with the ſaid *Thomas Cocke;* but that he never executed any Writ, or other Proceſs, from the Time the ſaid *Thomas Wilſon* was ſworn High Sheriff as aforeſaid.

Reſolved, That it is the Opinion of this Committee that the ſaid Mr *Thomas Bayley* was not Under Sheriff of the ſaid County of *Surry* at the Time of the ſaid Election.

Reſolved, That it is the Opinion of this Committee that the ſaid Mr *Thomas Bayley* is duly elected to ſerve as a Burgeſs in this preſent General Aſſembly for the ſaid County of *Surry*.

A *Bill* For appointing Directors and Truſtees for the Town of *Blandford*, in the County of *Prince George*, and to prevent Hogs running at Large therein, was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

Mr

Mr *Attorney* from the Committee of Propoſitions and Grievances, reported that the ſaid Committee had had under their Conſideration divers Propoſitions to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That the Petition of ſundry Inhabitants of the Pariſh of *Albemarle*, in the County of *Suſſex*, praying that the ſaid Pariſh may be divided, according to the Lines in the ſaid Petition deſcribed, be rejected.

Reſolved, That the Petition of ſundry Inhabitants of the ſaid Pariſh, in Oppoſition thereto, is reaſonable.

Reſolved, That the Petition of *John Cocke*, praying that a Ferry may be eſtabliſhed from the Town of *Cobham*, in the County of *Surry*, over *James* River, to *Jameſtown*, be rejected.

Mr *Cary*, from the Committee of Claims, reported that the ſaid Committee had had under their Conſideration ſeveral Matters to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to, with an Amendment, as follow:

Reſolved, That the Claim of *John Roſs*, for Proviſions found at *Pearſcall's* Fort, in the Year 1756, be rejected, not being regularly certified.

Reſolved, That the Claim of *Gerſham Keys*, for Proviſions furniſhed the Militia of 57
Fairfax County, be rejected, it appearing that the laſt Article in his Account has been already allowed.

Reſolved, That the Petition of *John Palmer*, to be allowed for a Horſe and Bridle impreſſed for the Uſe of the *Fairfax* Militia, be rejected, it appearing that the ſaid *Palmer* was allowed for the ſame in the laſt Book of Claims.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For the better and more regular collecting his Majeſty's Quitrents, and the publick Taxes; and it is referred to Mr *Bland*, Mr *Richard Henry Lee* and Mr *Landon Carter*, to prepare and bring in the ſame.

A *Petition* of *Charles Binns*, Clerk of *Loudoun* County, praying ſome Alteration as to his Fees, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

An engroſſed *Bill*, entitled, *An Act*[1] *for eſtabliſhing the Town of* Mecklenburg, *in the County of* Frederick, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Mercer* do carry up the ſaid Bill to the Council for their Concurrence.

A *Bill* For enlarging the Town of *Alexandria*, in the County of *Fairfax*, was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Friday, the 26th of November, 3 Geo. III. 1762.

THE Houſe, according to Order, reſolved itſelf into a Committee to take into their further Conſideration the Governour's Speech; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had had the ſaid Speech, and the Letters to them referred, under their further Conſideration, and gone through the ſame, and had come to two Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, with an Amendment, as follow:

Reſolved

[1] Hening, VII, p. 600

Reſolved, That an Addreſs be preſented to his Honour the Governour, to aſſure him of our inviolable Attachment to his Majeſty and his Service, and at the ſame Time to expreſs our Concern that the preſent unhappy Circumſtances of this Colony will not permit us to manifeſt our Zeal for the Support of the common Cauſe, by continuing the Regiment for a longer Time than it now ſtands provided for: The large Sums that we have been obliged to iſſue in Treaſury Notes, to enable us to comply with his Majeſty's Requiſitions, have already occaſioned ſeveral Complaints, particularly from the Mer-
58 chants of *Great Britian* trading to this Colony; and as we have no other Means of defraying the Expenſe of the Regiment than by a new Emiſſion of Treaſury Notes, which will not only increaſe thoſe Complaints, but may greatly depreciate the Value of the Notes already iſſued, to the manifeſt Injury of the Trade and Credit of this Colony, we flatter ourſelves that our Refuſal will not be looked upon as a Deviation from, but rather a Continuance of, that Affection and Loyalty which have hitherto influenced all our Actions.

Reſolved, That an humble Addreſs be made to his Majeſty, to congratulate him on the happy Event of the Birth of an Heir to his Crown and Virtues.

Ordered, That a Committee be appointed to draw up the ſeveral Addreſſes purſuant to the ſaid Reſolutions; and it is referred to Mr *Attorney*, Mr *Bland*, Mr *Richard Henry Lee*, Mr *Pendleton* and Mr *Wythe*, to prepare and bring in the ſame.

A *Petition* of *Richard Baker*, for and in Behalf of his Brother *James Baker*, deceaſed, late a Lieutenant in the *Virginia* Regiment, ſetting forth that his ſaid Brother was ſent out by Order of the late Governour *Dinwiddie* to the *Nottoway* and *Tuſkarora* Nations of *Indians*, to induce them to take up Arms in Defence of this Colony; that his ſaid Brother did accordingly raiſe and march large Bodies of the ſaid *Indians*, ſeveral Times, to the Frontiers of this Colony; that by ſundry long and expenſive Journies from Fort *Cumberland* to the ſaid Nations of *Indians*, and his Expenſes in procuring the ſaid *Indians* firſt to march, he expended large Sums of Money, beſides going in Debt to ſundry Perſons in the Sum of £150, or thereabouts; that he was ſoon after ſlain on the Banks of the *Ohio*, near Fort *DuQueſne*, bravely fighting in Defence of his Country, without leaving ſufficient to ſatiſfy the ſaid Demands; and praying that he may be allowed by the Publick a Sum of Money ſufficient to diſcharge his ſaid Brother's Debts, was preſented to the Houſe and read, and referred to the Conſideration of the Committee of Claims.

On a *Motion* made,

Ordered, That the Treaſurer of this Colony lay his Accounts before the Houſe.

The Houſe, according to Order, reſolved itſelf into a Committee on the Bill For the more effectual keeping the publick Roads and Bridges in Repair; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had gone through the ſaid Bill, and made ſeveral Amendments thereto; which they had directed him to report to the Houſe; and he read the ſaid Amendments in his Place, and then delivered them in at the Table, where they were again twice read, and agreed to, with ſome Amendments.

Ordered, That the ſaid Bill, with the Amendments, be engroſſed, and read a third Time.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Saturday, the 27th of November, 3 Geo. III. 1762.

THE *Treaſurer*, according to Order, laid his Accounts before the Houſe.

Ordered, That the ſaid Accounts do lie on the Table, for the Peruſal of the Members of this Houſe.

A *Petition* of *Abraham Lunderman*, ſetting forth that he hath been a
59 Soldier in the *Virginia* Regiment upwards of five Years, during which Time he hath done his Duty; that by extreme Colds in the Service he has contracted a rheumatick Diſorder, which has taken away the Uſe of his Limbs, in which Condition he is like to remain the

Reſt

Reſt of his Life; and praying ſome Relief for his Sufferings, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Mr *Richard Henry Lee*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill To explain and amend one Act of Aſſembly, made in the 4th Year of the Reign of Queen *Anne*, entitled, *An Act*[1] *for regulating the Elections of Burgeſſes, for ſettling their Privileges, and for aſcertaining their Allowances;* alſo one other Act, made in the 10th Year of *George* II. entitled, *An Act*[2] *to declare who ſhall have a Right to vote in the Election of Burgeſſes to ſerve in the General Aſſembly for Counties, and for preventing fraudulent Conveyances in Order to multiply Votes at ſuch Elections;* and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, to whom the Bill To amend an Act, entitled, *An Act*[3] *to oblige the Owners of Mills, Hedges, or Stone Stops, on ſundry Rivers therein mentioned, to make Openings or Slopes therein for the Paſſage of Fiſh, and for other Purpoſes therein mentioned*, was committed, reported that the Committee had made ſeveral Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

Mr *Attorney*, from the ſaid Committee, preſented to the Houſe, according to Order, a Bill To amend an Act, entitled *An Act*[4] *for regulating Ordinaries, and Reſtraint of Tippling Houſes;* and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Attorney*, alſo reported that the ſaid Committee had had under their Conſideration divers Propoſitions and Petitions from ſeveral Counties to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That the Petition of *Nicholas Davies*, praying that a Ferry may be eſtabliſhed from his Land in the County of *Bedford*, near the Mouth of *Tuckaho* Creek, over the *Fluvannah* River, to his Land near the *Mill Stone* Quarry, in the County of *Amherſt*, ought to be referred to the Conſideration of the next Seſſion of Aſſembly.

Reſolved, That the Petition of ſundry Inhabitants of the upper End of the County of *Amherſt*, praying that a Ferry may be eſtabliſhed from the Land of *Cornelius Thomas*, at or near the Mouth of *Mill* Creek, on the north Side of the *Fluvannah* River, to the oppoſite Land of *Nicholas Davies*, in the County of *Bedford*, ought to be referred to the Conſideration of the next Seſſion of Aſſembly.

Reſolved, That the Petition of ſundry Inhabitants of the County of *Albemarle*, praying that a Town may be eſtabliſhed on the Land of contiguous to the Courthouſe of the ſaid County, is reaſonable.

Reſolved, That the ſeveral Petitions of ſundry Inhabitants of the Counties of *Buckingham* and *Cumberland*, praying that quarterly Courts may be eſtabliſhed in the ſeveral Counties of this Colony, are reaſonable. 60

Reſolved, That the Petition of *Carter Henry Harriſon*, Gentleman, and ſundry Inhabitants of the Counties of *Cumberland* and *Buckingham*, praying that he may be empowered to build a Mill and raiſe a Dam over *Willis's* Creek, in the ſaid County of *Cumberland*, is reaſonable.

Reſolved, That the two Petitions of ſundry Inhabitants of the Pariſhes of *Cameron* and *Truro*, in the Counties of *Fairfax* and *Loudoun*, praying that ſo much of the ſaid Pariſh of *Cameron* as lies below the Line dividing thoſe two Counties may be added to the Pariſh of *Truro*, are reaſonable.

Ordered

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[1] Hening, III, p. 236.
[2] *Ibid.*, IV, p. 475.
[3] *Ibid.*, VII, p. 321.
[4] *Ibid.*, VI, p. 71.

Ordered, That it be an Inſtruction to the ſaid Committee to prepare and bring in a Bill or Bills purſuant to the four laſt Reſolutions.

An engroſſed *Bill*, entitled, *An Act*[1] *for enlarging the Town of* Alexandria, *in the County of* Fairfax, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *George Johnſton* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled *An Act*[2] *to oblige the Juſtices of the County of* Albemarle *to refund to the Counties of* Amherſt *and* Buckingham *their juſt Proportion of the Money paid for Weights and Meaſures before the Diviſion of the ſaid County of* Albemarle, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *William Cabbel* do carry up the ſaid Bill to the Council for their Concurrence.

And then the Houſe adjourned until Monday Morning 11 o'Clock.

Monday, the 29th of November. 3 Geo. III. 1762.

A *Petition* of *Henry Scarburgh*, ſetting forth that he is ſeized in Taille of a Tract of Land lying in *Pungoteague* Creek, in the County of *Accomack*, containing 3050 Acres; that he has no Slaves to cultivate it, and therefore the Poſſeſſion of it has been rather a Diſadvantage to him than otherwiſe; and that it would be greatly to his Advantage to diſpoſe of 1525 Acres, Part thereof, and lay out the Money ariſing from the Sale thereof in the Purchaſe of Slaves, to be ſettled to the ſame Uſes; and praying that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Ordered, That a Bill be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Lemuel Riddick* to prepare and bring in the ſame.

Mr *Waſhington*, from the Perſons to whom the Memorial of Major *Andrew Lewis* was referred, reported that they had had the ſame under their Conſideration, and had agreed on a Report, and come to a Reſolution thereon; which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe, as follows:

It appears to your *Committee* that the Memorialiſt entered into the Service of this Colony in the Year 1754; that he continued therein until the Reduction of the *Virginia* Regiment in *January* laſt; that in the Year 1758 he was taken Priſoner before Fort *DuQueſne* by the Savages, who ſtripped and plundered him of all his Clothes, *&c.* and that he was afterwards delivered up to the *French*, and carried to *Quebeck*, where he remained in Captivity for the Space of 16 Months: That during his Continuance in the Service of his Country he very juſtly acquired the Character of a prudent, brave, and good Officer.

Reſolved, That the ſaid Major *Andrew Lewis* be allowed the Sum of £350, as well
61 for a Reward for his faithful Services to his Country, as a Recompenſe for the Hardſhips he ſuffered during his Captivity, and the great Expenſes he was obliged to ſubject himſelf to, in Order to ſupport and maintain the Dignity of his Character as an Officer.

Ordered, That the ſaid Reſolve be engroſſed, and that Mr *Mercer* do carry it up to the Council for their Concurrence.

Mr *Attorney* from the Committee of Propoſitions and Grievances, reported that the ſaid Committee had had under their Conſideration a Petition of ſundry Inhabitants of the Pariſh of *Truro*, in the County of *Fairfax*, praying that the ſaid Pariſh may be divided into two diſtinct Pariſhes, according to the Lines therein particularly deſcribed; alſo a Petition of ſundry other Inhabitants of the ſaid Pariſh, in Oppoſition to the ſaid Diviſion

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[1] Hening, VII, p. 604. [2] *Ibid.*, VII, p. 625.

ſion; and had come to two Reſolutions thereupon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That the ſaid Petition, praying a Diviſion of the ſaid Pariſh, be rejected.

Reſolved, That the ſaid Petition, in Oppoſition thereto, is reaſonable.

Mr *Attorney* alſo reported that the ſaid Committee had alſo had under their Conſideration a Petition of ſundry Inhabitants of the ſaid Pariſh of *Truro*, complaining of ſundry illegal Practices of the preſent Veſtry of the ſaid Pariſh, and praying that the ſaid Veſtry may be diſſolved; and had come to the following Reſolution thereupon.

Reſolved, That the ſaid Petition is reaſonable.

Ordered, That it be an Inſtruction to the ſaid Committee to prepare and bring in a Bill or Bills purſuant to the laſt Reſolution.

Mr *Pendleton*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill To eſtabliſh a more eaſy and expeditious Method for the Trial of Criminals, and of Cauſes depending in the General Court; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* of *William Sweene*, a Soldier in the 2d *Virginia* Regiment, ſetting forth that in the Action before Fort *DuQueſne* he received a Wound in one of his Arms, which has ever ſince rendered him incapable of labouring ſufficient to ſupport himſelf and Family; and praying the Conſideration of the Houſe therein, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereupon, to the Houſe.

A *Claim* of *Thomas Cowles*, for taking up a Runaway therein mentioned, was preſented to the Houſe and received, and referred to the Conſideration of the Committee of Claims.

Ordered, That Mr *Joſeph Cabbel* have Leave to be abſent from the Buſineſs of the Houſe this Remainder of this Seſſion.

Mr *Richard Henry Lee*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill For the Relief of inſolvent Debtors, for the more effectual Diſcovery and more equal Diſtribution of their Eſtates; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill For continuing and amending the Act, entitled *An Act*[1] *for the better regulating and collecting certain Officers Fees, and for other Purpoſes therein mentioned.*

Reſolved, That this Houſe will reſolve itſelf into the ſaid Committee on *Friday* next.

Several *Accounts* from ſundry Inhabitants of the County of *Halifax*, for Proviſions and other Neceſſaries furniſhed to the Militia, and for tributary *Indians*, in their marching through the County, were ſeverally preſented to the Houſe and received, and referred to the Conſideration of the Committee of Claims. 62

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Tueſday, the 30th of November, 3 Geo. III. 1762.

MR *Cary*, from the Committee of Claims, reported that the ſaid Committee had had under their Conſideration ſeveral Matters to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered them in at the Table, where they were again twice read, and agreed to, with ſome Amendments, as follow:

Reſolved, That the Petition of *Abraham Lunderman*, late a Soldier in the *Virginia* Regiment, for Relief, he being rendered incapable of getting his Livelihood, and a Cripple, by the Hardſhips he underwent in the Service of this Colony, is reaſonable; and that he ought to be allowed the Sum of £10 for Relief in his preſent Neceſſity, and the further Sum of £10 a Year during his Indiſpoſition. *Reſolved*

[1] Hening, V, p. 326.

Reſolved, That the Petition of *David Zwilling*, to be paid for a Horſe impreſſed in the Service of this Colony, and for Medicines and Attendance for Soldiers when ſick, is reaſonable; and that he ought to be allowed the Sum of £ 8 for the ſaid Horſe, and the further Sum of £8. 7*s*. for his Medicines and Attendance on the ſaid Soldiers.

Reſolved, That the Claim of *James Patty*, to be allowed for the Loſs of the Labour of a Slave who was committed to the Gaol of *Caroline* County on Suſpicion of Felony, and whilſt impriſoned was froſtbitten and rendered incapable of Service, is reaſonable; and that he ought to be allowed the Sum of £3. 15*s*. for the ſame.

Ordered, That it be an Inſtruction to the Committee of Claims to make the ſeveral Allowances in the Book of Claims, purſuant to the ſaid Reſolutions.

A *Bill* To eſtabliſh a more eaſy and expeditious Method for the Trial of Criminals, and of Cauſes depending in the General Court, was read the ſecond Time; and it was further ordered that the ſaid Bill ſhould be printed, and a Copy thereof ſent by the Printer to each of the Members of this Houſe.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To amend an Act, entitled, *An Act*[1] *for preventing exceſſive and deceitful Gaming;* and it is referred to M[r] *Richard Henry Lee* to prepare and bring in the ſame.

A *Claim* of *Thomas Scruggs* and *Joſeph Lewis*, Junior, for taking up Runaways therein mentioned.

Alſo ſundry *Accounts* for Proviſions found for the Militia of———and ſundry tributary *Indians*, were ſeverally preſented to the Houſe and received, and referred to the Conſideration of the Committee of Claims.

M[r] *Attorney*, from the Committee of Propoſitions and Grievances, preſented to the Houſe, according to Order, a Bill For further continuing the Act for the better regulating and diſciplining the Militia.

63 *Alſo* a *Bill* For adding Part of the Pariſh of *Cameron* to the Pariſh of *Truro*.

Alſo a *Bill* For further continuing the Act for reducing the ſeveral Acts for making Proviſion againſt Invaſions and Inſurrections into one Act; and the ſame were ſeverally read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* from the Clerk, Surveyer, Sheriff and Gaoler, of the County of *Cumberland*, praying that the Deduction for Officers Fees in the ſaid County may be reduced, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Petition* of Capt. *John Smith*, praying to be reimburſed the Sum of £75 for ſo much paid by him to his Lieutenant, *Thomas Langdon*, for his Pay from *September 30th 1755*, to *June 25th*, *1756*, having never received any Satiſfaction for the ſame, was preſented to the Houſe and read, and referred to the Conſideration of the next Seſſion of Aſſembly.

On a *Motion* made,

Reſolved, That this Houſe will not receive any Claims after *Monday* next.

M[r] *Wythe*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill To amend the Act for encouraging Arts and Manufactures; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* of *Joſeph Donaldſon*, late Surgeon's Mate in the *Virginia* Regiment, praying to be allowed Half Pay for one Year, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Petition* of *Robert Rutherford* and *Mary Wood*, in Behalf of themſelves and others ſetting forth that they and others, who were Proprietors of Lands adjoining the Town of *Winchester*, have ſuffered much by having their Timber cut down to build Fort *Loudoun;* that ſome of them have not only had their Timber deſtroyed, but have had their

[1] Hening, VI, p. 76.

their Lands ſo pillaged as not to have Firewood left; and praying the Conſideration of the Houſe therein, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Mr *Riddick* preſented to the Houſe, according to Order, a Bill To dock the Entail of certain Lands whereof *Henry Scarburgh*, is ſeized in Fee Taille, and for other Purpoſes therein mentioned; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

The Houſe being informed that *Bertrand Ewell* had levied for him in the laſt Book of Claims for the Pariſh and County Levies of his Tithes employed in the *Quantico Iron Works*, in the Years 1759 and 1760, 2008 lbs. of Tobacco, which was unjuſt, no ſuch Works having been erected.

Ordered, That the Committee of Claims do enquire into the ſame, and report their Opinion thereon to the Houſe.

A *Petition* of *Barton Lucas*, Enſign in the *Virginia* Regiment, ſetting forth that he hath ſuſtained divers Loſſes in the recruiting Service, by which Means there remains a conſiderable Balance due from the Petition to the Colony; and as he hath really ſuffered through his Attachment to the Service, and confeſſes himſelf unable to diſcharge the ſame, without the Aſſiſtance of this Honourable Houſe; and praying the Conſideration of the Houſe therein, was preſented to the Houſe and read; and the Queſtion being put that the ſaid Petition be referred to a Committee, 64

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

A *Bill* To explain and amend one Act of Aſſembly, made in the 4th Year of the Reign of Queen *Anne*, entitled, *An Act*[1] *for regulating the Elections of Burgeſſes, for ſettling their Privileges and for aſcertaining their Allowances* alſo one other Act, made in the 10th Year of *George* II entitled, *An Act*[2] *to declare who ſhall have a Right to vote in the Election of Burgeſſes to ſerve in the General Aſſembly for Counties, and for preventing fraudulent Conveyances in Order to multiply Votes at ſuch Elections*, was read a ſecond Time, and ordered to be committed to a Committee of the whole Houſe Tomorrow.

A *Meſſage* from the Council was delivered by Mr *Walthoe*.

That they have agreed to the Bill *entitled*, An Act[3] for dividing the Pariſh of *Accomack*, in the County of *Accomack*.

Alſo to the Bill, *entitled*, An Act[4] to empower the Veſtry of the Pariſh of *St. Patrick*, in the County of *Prince Edward*, to levy for *Thomas Wood* a reaſonable Satiſfaction for his Expenſes in building a Church there which was burnt down before it was finiſhed.

Alſo to the Bill, *entitled*, An Act[5] for building a Bridge over *Nottoway* River from the Land of *Jeſſe Brown* by Subſcription.

Alſo to the Bill, *entitled*, An Act[6] for adding Part of the County of *King* and *Queen* to the County of *Caroline*, and for altering the Court Day of the ſaid County of *King* and *Queen*.

Alſo to a Bill, *entitled*, An Act[7] for eſtabliſhing the Town of *Mecklenburg*, in the County of *Frederick*.

Alſo to the Bill, *entitled*, An Act[8] for diſſolving the Veſtry of the Pariſh of *Hampſhire*, in the County of *Hampſhire*, and electing a new Veſtry in the ſaid Pariſh.

Alſo to the Bill, *entitled*, An Act[9] for enlarging the Town of *Alexandria*, in the County of *Fairfax*.

Alſo to the Bill, *entitled*, An Act[10] to oblige the Juſtices of *Albemarle* to refund to the Counties of *Amherſt* and *Buckingham* their juſt Proportion of the Money paid for Weights and Meaſures before the Diviſion of the County of *Albemarle*.

Alſo to the Bill, *entitled*, An Act[11] for dividing the Pariſh of *Nottoway*, in the County of *Southampton*. *alſo*

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1 Hening, III, p. 236.
2 *Ibid.*, IV, p. 475.
3 *Ibid.*, VII, p. 614.
4 *Ibid.*, VII, p. 611.
5 *Ibid.*, VII, p. 623.
6 *Ibid.*, VII, p. 620.
7 *Ibid.*, VII, p. 600.
8 *Ibid.*, VII, p. 616.
9 *Ibid.*, VII, 604.
10 *Ibid.*, VII, p. 625.
11 *Ibid.*, VII, p. 618.

Alſo to the Bill, *entitled*, An Act[1] for ſettling the Bounds between the Pariſhes of *Martin's Brandon* and *Briſtol*, in the County of *Prince George*.

Alſo to a Reſolve, *for allowing Colonel* William Peachey *one Year's Pay, in Conſideration of his paſt Services.*

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Wednesday, the 1st of December, 3 Geo. III. 1762.

MR *Parramore* preſented to the Houſe, according to Order, a Bill To empower *George Parker* to make one Payment of £600 to the Church Wardens of the lower Pariſh of *Nanſemond*, in Lieu of a perpetual Annuity of £30 and for other Purpoſes therein mentioned; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

65 A *Petition* of *Willam Bronaugh*, late a Captain of the *Virginia* Regiment praying that he may be allowed the ſame Favours and Indulgencies which have been lately granted to the Officers of the late Regiment, and that he may be allowed one Year's Advance Pay, as was allowed them, or to make him ſuch other Allowance as this honourable Houſe ſhall think fit, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of Mr *Richard Henry Lee*, Mr *George Johnſton* and Mr *Mercer;* that they examine into the Allegations thereof, and report the ſame, with their Opinion thereupon, to the Houſe.

A *Petition* of *James Scott*, Clerk, ſetting forth that *Alexander Scott*, late of the Pariſh of *Overwharton*, in the County of *Stafford*, Clerk, deceaſed, Brother to the Petitioner, was in his Lifetime ſeized of 448 Acres of Land in the ſaid County of *Stafford*, and of ſeven other Tracts of Land in the County of *Fairfax*, and that Part of *Prince William* now called *Fauquier*, containing ſeverally 2823, 2000, 1000, 970, 600, 480, and 400, Acres; and being at the ſame Time poſſeſſed of between 20 and 30 Slaves, deviſed his ſaid Lands and Slaves to the Petitioner, in Taille: That the Petitioner being ſeveral Years ago appointed Miniſter of *Dettingen* Pariſh, in the County of *Prince William*, hath purchaſed a Tract of Land there, containing 2000 Acres, upon which he hath built a very good and large Brick Houſe two Stories high, with Cellars under the Whole, and completely finiſhed, all Neceſſaries and convenient Offices, with a Garden, Orchards, and fine Meadows, which hath rendered the ſame very valuable; that the ſaid Tract of Land purchaſed by him as aforeſaid, and upon which he now lives, with all the Improvements thereon, may (after his Deceaſe) be ſettled upon his eldeſt Son and Heir apparent, *James Scott*, Jun. in Taille, in Lieu of the Tract of 2000 Acres in *Fairfax*, near the Falls of *Potowmack*, which, with the other ſix ſmall Tracts before mentioned, may be veſted in the Petitioner in Fee Simple; and that there may be annexed unto the ſaid Tract of Land in *Prince William* the following 16 Slaves, *viz. David, Frank, Will, Bob, Great Sawney, Little Sawney, Sampſon, Peg, Bee Eye, Little Frank, Dick, Moſes, Yellow Jenney, Joan* and *Hannah*, and their Increaſe, to go and continue with the ſaid Land forever; and that the following 17 Slaves and their Increaſe, *viz. Judy, Moll, Great Jamie, Little Jamie, Old Tom, Elgin, Dipple, Roger, Maria, Charlotte, Yellow Betty, Tony, Abraham, Little Moſes, Black Bett, Little Jenny* and *Nanny* to go and be annexed to the Tract of Land upon *Carter's* Run in *Fauquier* County, containing 2823 Acres (which is ſtill to remain in Taille as formerly) and praying that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Ordered, That a Bill be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Richard Henry Lee* to prepare and bring in the ſame.

A *Petition* of *Nathaniel Harriſon*, an Infant, under the Age of 21 Years, by *Nathaniel Harriſon*, Eſq; his Guardian, ſetting forth that he is ſeized in Fee Taille of about 3000 Acres of Land lying and being in the Pariſh of_____in the County of *Surry*, which is

[1] Hening, VII, 613.

is of no real Value to him, but rather an Encumbrance, having no Slaves to cultivate or improve the ſame; that it will be an Advantage to himſelf, and all thoſe claiming under the Will of the ſaid *Nathaniel Harriſon*, to diſpoſe of Part of the ſaid Tract of Land, and to lay out the Money ariſing from the Sale thereof in the Purchaſe of Slaves, 66
to be annexed to the remaining Part thereof; and praying an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Ordered, That a Bill be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Attorney* to prepare and bring in the ſame.

A *Petition* of *Larkin Chew*, late a Lieutenant in the *Virginia* Regiment, ſetting forth that after the Deceaſe of his Brother *Coleſby Chew*, who had been for ſome Time in the Service, and who was killed bravely fighting for his King and Country near Fort *Du Queſne*, ſeveral Debts due from him, to the Amount of £22, were proved and demanded of the Petitioner, who paid the ſame, as he could not think of letting the Memory of a brave Brother be degraded with the Reproach of not paying his Debts, though he had little Money to ſpare himſelf; that in the Month of *May*, 1759, in an Engagement with the Enemy, he received a Wound in the Elbow Joint of his right Arm, which ſhattered the Bones thereof in ſuch Manner that it was a long Time before the Cure was effected; that he expended for Nurſes, Attendants, &c. about £20; that at the Time of receiving the Wound the Enemy took from him two Horſes, his Baggage and Clothes, to the Value of £50, £15 in Caſh, and all his Papers, among which were Accounts of Value, and the Receipts for the Money he had paid for his Brother, no Part of which he could ever recover, nor hath he received any Satiſfaction for the ſame; and praying the Conſideration of the Houſe therein, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of Mr *Bland* and Mr *Terry;* that they examine into the Allegations thereof, and report the ſame, with their Opinion thereupon, to the Houſe.

Mr *Bland*, from the Committee of Privileges and Elections, reported that the ſaid Committee had had under their Conſideration the Returns of the Writs for electing of Burgeſſes to ſerve in this preſent General Aſſembly for the Counties of *New Kent* and *Surry*, to them referred, and had come to a Reſolution thereupon; which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe, as follows:

Reſolved, That the Returns of the ſaid Writs are not made in the Form preſcribed by Law.

On a *Motion* made,

Ordered, That the Returns of the ſaid Writs be amended by the Clerk at the Table.

Mr *Pendleton* preſented to the Houſe, according to Order, a Bill To dock the Entail of certain Lands whereof *Ralph Wormeley*, Eſq; is ſeized, and for ſettling other Lands of greater Value to the ſame Uſes; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Richard Henry Lee* preſented to the Houſe, according to Order, a Bill To amend an Act for preventing exceſſive and deceitful Gaming; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Bland*, from the Committee of Privileges and Elections, reported that the ſaid Committee had had under their further Conſideration the Petition of Mr *Henry Peyton*, complaining of an undue Election and Return of Mr *John Baylis* and Mr *Henry Leigh* to ſerve as Burgeſſes in this preſent General Aſſembly for the County of *Prince William*, and had partly heard as well the Petitioner as the ſitting Members, and had agreed to a Report, and come to two Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again read, and agreed to by the Houſe, as follow:

It appears to your *Committee* that *Richard Marlour*, who voted for the ſaid Mr *Lee* 67
at the ſaid Election, voted in right of 100 Acres of Land which he held under a Leaſe for three Lives, from *Bertrand Ewell*, dated the 30th of *September*, 1757, and that he hath been in Poſſeſſion thereof from the Date of the Leaſe, and took the Oath preſcribed by Law.

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The *Petitioner* then deſired the Committee to examine into the Title of the ſaid *Bertrand Ewell*, and offered to prove that he had not the legal Title to the Land he had ſo leaſed to the ſaid *Marlour;* and the Queſtion being put thereon.

Reſolved, That it is the Opinion of this Committee that they have no Right to examine into the ſaid *Bertrand Ewell's* Title to the ſaid Land.

Reſolved, That it is the Opinion of this Committee that the ſaid *Richard Marlour* had a good Right to vote for Burgeſſes at the ſaid Election.

The *firſt* Reſolution being read a ſecond Time, was diſagreed to by the Houſe.

The *laſt* Reſolution alſo being twice read, and the Queſtion put that the Houſe agree thereto,

It paſſed in the Negative.

On a *Motion* made,

Ordered, That the ſaid Reſolution be recommitted to the ſaid Committee.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill To explain and amend one Act of Aſſembly, made in the 4th Year of the Reign of Queen *Anne* entitled, *An Act*[1] *for regulating the Elections of Burgeſſes, for ſettling their Privileges, and for aſcertaining their Allowances*, alſo one other Act, made in the 10th Year of *George* II entitled, *An Act*[2] *to declare who ſhall have a Right to vote in the Election of Burgeſſes to ſerve in the General Aſſembly for Counties, and for preventing fraudulent Conveyances in Order to Multiply Votes at ſuch Elections.*

And then the Houſe reſolved itſelf into a Committee on the ſaid Bill; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had had the ſaid Bill under their Conſideration, but not having Time to go through the ſame they had directed him to move for Leave to ſit again.

Reſolved, That this Houſe will again reſolve itſelf into a Committee on the ſaid Bill Tomorrow.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Thurſday, the 2nd of December, 3 Geo. III. 1762.

AN *Account* of ſundry Perſons in the County of *Glouceſter*, for conveying ſeveral draughted Soldiers to *Frederickſburg*, was preſented to the Houſe and received, and referred to the Conſideration of the Committee of Claims.

A *Petition* of the Mayor, Recorder, Aldermen and Common Council, and other Inhabitants of the City of *Williamſburg*, praying that an Act may paſs to remove the Powder, with the Arms and Ammunition, in the Magazine in the ſaid City, to ſome Place of greater Security, or to ſell the ſame for the Benefit of the Publick, and to reveſt the Land on which the ſaid Magazine now ſtands in the Truſtees and Directors of the ſaid City, was preſented to the Houſe and received.

Ordered, That a Bill or Bills be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Attorney* to prepare and bring in the ſame.

66 A *Petition* of *Allan Macrae*, ſetting forth that he was poſſeſſed in Fee Simple of a certain Piece of Land, 60 Feet wide, and about 450 Feet long, which Piece of Land was by an Act of Aſſembly, For enlarging the Town of *Dumfries*, veſted in the Truſtees of the ſaid Town, and by them laid off into a Street; that the Petitioner reaps no benefit from the ſaid Street, nor has he ever received any Satiſfaction for the ſaid Land; and prayed the Conſideration of the Houſe therein, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Mr *Benjamin Harriſon*, from the Committee of Trade, preſented to the Houſe, according to Order, a Bill To revive an Act, entitled, *An Act*[3] *for inſpecting Pork, Beef, Flower*

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[1] Hening, III, p. 236. [2] *Ibid.*, IV, p. 475. [3] *Ibid.*, VI, p. 146.

Flower, Tar, Pitch and Turpentine, and alſo an Act, entitled, *An Act*[1] *to revive and amend an Act, entitled, An Act for inſpecting, Pork, Beef, Flower, Tar, Pitch and Turpentine.*

Alſo a *Bill* For eſtabliſhing Pilots, and regulating their Fees; and the ſame were ſeverally read the firſt Time, and ordered to be read a ſecond Time.

Mr *Bland*, from the Perſons to whom the Petition of *Larkin Chew* was committed, reported that they had had the ſame under their Conſideration, and examined into the Allegations thereof, and found them to be true, and had come to a Reſolution thereon; which he read in his Place, and then delivered in at the table, where it was again twice read, and agreed to by the Houſe, and is as follows:

Reſolved, That the ſaid *Larkin Chew* be allowed the Sum of £100, as a Satiſfaction for his Loſſes, and the Wounds he received in the Service of the Colony; and the Sum of £40 a Year during his Life, for the Loſs of the Uſe of his right Arm.

Reſolved, That the ſaid Reſolve be engroſſed, and that Mr *Bland* do carry it up to the Council for their Concurrence.

Mr *Attorney* reported that the Committee appointed had, according to Order, prepared an Addreſs to the Governour; which he read in his Place, and then delivered in at the table, where the ſame was again twice read, and agreed to by the Houſe, and is as follows:

Sir,

We his Majeſty's dutiful Subjects, the Burgeſſes of Virginia, *having taken your Honour's Speech, at the Opening of this Seſſion, under our moſt ſerious Conſideration, humbly beg Leave to aſſure you of our inviolable Attachment to his Majeſty's Service, and at the ſame Time to expreſs our Concern that the preſent unhappy Circumſtances of the Colony will not permit us to manifeſt our Zeal for the Support of the common Cauſe by continuing the Regiment for any longer Time than it ſtood provided for: The large Sums that we have been obliged to iſſue in Treaſury Notes, to enable us to comply with his Majeſty's Requiſitions, have already occaſioned great Complaints, particularly from the Merchants of* Great Britain *trading to this Colony; and as we have no other Means of defraying the Expenſes of the Regiment than by a new Emiſſion of Treaſury Notes, which will not only increaſe thoſe Complaints, but may depreciate the Value of the Notes already iſſued, to the Injury of the Trade and Credit of the Colony, we flatter ourſelves that our Refuſal will not be looked upon as any Deviation from that Affection and Loyalty which have hitherto influenced all our Actions.*

Ordered, That the ſaid Addreſs be fairly tranſcribed, and preſented by the whole 69
Houſe; and that the Committee who prepared the ſame wait on the Governour, to know his Pleaſure when this Houſe ſhall attend his Honour to preſent it.

A *Memorial* of the Officers of the *Virginia* Regiment, ſetting forth that as the Regiment is now reduced, your Memorialiſts beg Leave to lay their unhappy and diſtreſſed Situation before the Honourable Houſe, who have on all Occaſions manifeſted their great Intention, and noble Reſolution, of rewarding all who have been employed in their Service, who could have the leaſt Pretention to their Favour and Notice.

Your *Memorialiſts* beg they may aſſure the Houſe that they now eſteem themſelves in a much worſe Situation than they ever have been before, as the many Expenſes attending the recruiting Service, and the Camp Equipage they were obliged to provide at a very great Expenſe, to fit themſelves for an Expedition which they were ordered daily to expect, has not only exhauſted all the Pay the ſmall Space they have now been employed entitled them to, but has actually taken a great Part of the Recompenſe the honourable Houſe was ſo generouſly pleaſed to order them at the former Reduction of the Regiment for their paſt Services, much of which had been before expended in travelling Charges, as your Memorialiſts were diſbanded ſo far from their reſpective Homes, at a Poſt, whoſe remote Situation, and inclement Seaſon, made it very difficult to procure the neceſſary Means to convey them home; and though your Memorialiſts were thoroughly ſatiſfied

1 Hening, VII, p. 40.

ſatiſfied theſe Inconveniences must attend them, yet they could not be guilty of ſo much Neglect and Diſreſpect to a grateful and bountiful Colony, as to delay one Moment offering their Services when they thought them abſolutely neceſſary, and to which both Honour and Gratitude ſo loudly called them.

During the long, tedious, and diſagreeable Service, your Memorialiſts have been engaged in for the Defence of this Country, the many Toils and Dangers they have encountered, in which they have ſpent the moſt precious Part of their Lives, and have really ſo much impaired that ineſtimable Bleſſing, their Health, while they were employed to procure their Country Safety, Peace, Eaſe and Tranquility, that many of them are ſo far from a Probability of acquiring a decent Subſiſtence that they are threatened with a near Proſpect of approaching Poverty and Want, which muſt ſubject them to ſuch Contempt as will damp the Growth of publick Spirit and military Virtues.

Thus your *Memorialiſts*, having moſt honeſtly and impartially repreſented their unhappy Situation, beg to recommend their Diſtreſſes at their approaching Poverty to the Conſideration of the honourable Houſe, to grant them ſuch Relief as they in their Wiſdom ſhall judge fit.

Mr *Attorney*, according to Order, preſented to the Houſe a Bill To empower the Veſtry of *Bruton* Pariſh to ſell certain Lots in the City of *Williamſburg*, for the Purpoſes therein mentioned; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill To explain and amend one Act of Aſſembly, made in the 4th Year of the Reign of Queen *Anne*, entitled, *An Act*[1] *for regulating the Elections of Burgeſſes, for ſettling their Privileges, and for aſcertaining their Allowances*, alſo one other Act, made in the 10th Year of *George* II. entitled, *An Act*[2] *to declare who ſhall have a Right to vote in the Election of Burgeſſes to ſerve in the General Aſſembly for Counties, and for preventing fraudulent Conveyances in Order to multiply Votes at ſuch Elections;* and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had made ſeveral Amendments to the ſaid Bill, but not having Time to go through the ſame they had directed him to move for Leave to ſit again.

Reſolved, That this Houſe will again reſolve itſelf into a Committee on the ſaid Bill Tomorrow.

A *Claim* of *William Summers*, for taking up a Runaway therein mentioned, was preſented to the Houſe and received, and referred to the Committee of Claims.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Friday, the 3rd of December. 3 Geo. III. 1762.

A *Petition* of *George Mercer*, praying to be allowed for his Attendance on the Commiſſioners appointed by his Excellency Sir *Jeffery Amherſt* in *New York* to ſettle the Colonies Accounts for the *Cherokee* Expedition in the Year 1760, having never received any Satiſfaction for his ſaid Services, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Ordered, That the Treaſurer's Accounts be referred to Mr *Edmund Pendleton*, Mr *Bland*, Mr *John Page*, Mr *Dudley Digges*, Mr *Benjamin Harriſon*, Mr *Cary*, Mr *Richard Henry Lee*, Mr *George Johnſton* and Mr *Lewis Burwell;* that they examine the ſeveral Articles thereof, and report the Balance, as it ſhall appear to them, to the Houſe.

Mr *Bland*, from the Committee of Privileges and Elections, reported that the Committee had had under their further Conſideration the Petition of Mr *Henry Peyton*, complaining of an undue Election and Return of Mr *John Baylis* and Mr *Henry Leigh* to ſerve

[1] Hening, III, p. 236 [2] *Ibid.*, IV, p. 475.

ſerve as Burgeſſes in this preſent General Aſſembly for the County of *Prince William* to them referred, and had agreed upon a Report, and come to a Reſolution thereon; which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe, as follows:

It appears to your *Committee* that *Richard Marlour*, who voted for Mr *Lee* at the ſaid Election, voted in Right of 100 Acres of Land which he held under a Leaſe for three Lives from one *Bertrand Ewell*, dated the 13th of *September*, 1757, and that he had been in Poſſeſſion thereof ever ſince, and had taken the Oath preſcribed by Law; but it appears to your Committee that the ſaid *Bertrand Ewell* had never received any Deed for the ſaid Land of the Perſon of whom he purchaſed it, of which the above mentioned 100 Acres were Part.

Reſolved, That it is the Opinion of this Committee that the ſaid *Richard Marlour* had no Right to vote for Burgeſſes at the ſaid Election.

It appears to your *Committee* that *Thomas Davis*, Jun. who voted for the ſitting Member Mr *Lee* at the ſaid Election, held 185 Acres of Land in the ſaid County, leaſed to him and one *Zachariah Bradfield*, by one *Benjamin Grayſon*, by Indenture of Leaſe, dated the 30th Day of *January*, 1758, to hold to him the ſaid *Davis* for his own Life, and the Lives of his Wife and eldeſt Son *Thomas*, and to the ſaid *Bradfield* and his Wife for the Life of the longeſt Liver of them: That in the Month of *October*, before the ſaid Election, he had agreed to give up his ſaid Leaſe to one *Nehemiah Dowell*, provided he 71
would pay for the Improvements he had made on the ſaid Land; and then alſo he put the ſaid *Dowell* into Poſſeſſion, but did not ſurrender the ſaid Leaſe until ſome Time after the Election, when the ſaid *Dowell* had complied with the Terms of their Agreement.

Reſolved, That it is the Opinion of this Committee that the ſaid *Thomas Davis*, Jun. had a good Right to vote for Burgeſſes at the ſaid Election.

It likewiſe appears to your *Committee* that *William Spiller*, who voted for Mr *Lee* at the ſaid Election, held upwards of 100 Acres of Land, under the Will of his Father *Waddington Spiller*, dated the 30th of *April*, 1755, and had been in Poſeſſion thereof above twelve Months before the ſaid Election.

Reſolved, That it is the Opinion of this Committee that the ſaid *William Spiller* had a good Right to vote for Burgeſſes at the ſaid Election.

It further appeared to your *Committee* that *William Rookard* and *Francis Kenner*, who voted for Mr *Lee* at the ſaid Election, had ſeverally, for ſome Years before the ſaid Election, been in Poſſeſſion of 100 Acres of Land each in the ſaid County, belonging to *George Maſon*, Gent. who had, upon their ſeating and building thereon, agreed to give them Leaſes for three Lives for the ſame, and given each of them reſpectively his Bonds for that Purpoſe, but never executed any ſuch Leaſe.

Reſolved, That it is the Opinion of this Committee that the ſaid *William Rookard* and *Francis Kenner* had no Right to vote for Burgeſſes at the ſaid Election.

It alſo appeared to your *Committee* that *George Thayer*, who voted for Mr *Lee* at the ſaid Election, had been, for about three Years before, in Poſſeſſion of the Lands in Right of which he voted, under a Leaſe for three Lives from the above named *Bertrand Ewell*, being Part of a larger Tract, which the ſaid *Ewell* had purchaſed of one *Thomas Young;* but had never received any Deeds for the ſame.

Reſolved, That it is the Opinion of this Committee that the ſaid *George Thayer* had no Right to vote for Burgeſſes at the ſaid Election.

It likewiſe appeared to the *Committee* that *Robert Forgey*, who alſo voted for Mr *Lee* at the ſaid Election, held 100 Acres of Land, under a Leaſe for two Lives, from the ſaid *Bertrand Ewell*, dated the 1ſt Day of *January*, 1760, being Part of a larger Tract, which the ſaid *Ewell* had purchaſed of one *Iſaac Davis;* but that the ſaid *Davis* had never executed any Deed for the ſame.

Reſolved, That it is the Opinion of this Committee that the ſaid *Robert Forgey* had no Right to vote for Burgeſſes at the ſaid Election.

It alſo appeared to your *Committee* that *William Tompkins*, who voted for Mr *Lee* at the ſaid Election, had been in Poſſeſſion of a Lot in the Town of *Dumfries*, in the ſaid County

County, with a Dwellinghouſe thereon, above twelve Months before the ſaid Election; which Lot was conveyed to him by the Truſtees of the ſaid Town, by their Deed, duly executed and recorded, bearing date the 3rd Day of *June*, 1760, and that he took the Oath preſcribed by Law.

72 *Reſolved*, That it is the Opinion of this Committee that the ſaid *William Tomkins* had a good Right to vote at the ſaid Election.

It alſo appeared to your *Committee* that *George Brent*, Gent. voted at the ſaid Election for Mr *Lee*, whoſe Vote the Petitioner objected to, as being a Roman Catholick; but it not appearing to your Committee that the ſaid *George Brent* is a Recuſant convict.

Reſolved, That it is the Opinion of this Committee that the ſaid *George Brent* had a good Right to vote for Burgeſſes at the ſaid Election.

It alſo appeared to your *Committee* that *Andrew Martin*, who voted at the ſaid Election for Mr *Lee*, had been, for ſeveral Years before, in Poſſeſſion of the Lands in Right of which he voted, which he declared he held under a Leaſe for four Lives from one *John Tarpley;* and it was likewiſe proved, by the Teſtimony of Mr *Thomas Harriſon*, that the ſaid *Tarpley* had acknowledged he had made a Leaſe to the ſaid *Martin*, and that the ſaid *Andrew Martin* alſo took the Oath preſcribed by Law; but no ſuch Leaſe appearing before the Committee.

Reſolved, That it is the Opinion of this Committee that the ſaid *Andrew Martin* had no Right to vote at the ſaid Election.

It further appeared to your *Committee* that *Thomas Chapman*, who voted for Mr *Lee* at the ſaid Election, had lived with his Uncle Mr *William Carr*, in the ſaid Town of *Dumfries*, for about three Years before, and was in Poſſeſſion of four Lots, with ſeveral Houſes thereon, which had been purchaſed for him by the ſaid Mr *Carr*, and were conveyed to the ſaid *Chapman* by the Truſtees of the ſaid Town, by this Deed, duly executed and recorded, bearing Date the 3d Day of *January*, 1760, and that the ſaid *Chapman* took the Oath preſcribed by Law at the ſaid Election.

Reſolved, That it is the Opinion of this Committee that the ſaid *Thomas Chapman* was duly qualified to vote for Burgeſſes at the ſaid Election.

It further appears to your *Committee* that *Leonard Helm* voted for Mr *Lee* at the ſaid Election, who Mr *Lee* acknowledges had no Right to vote; *and therefore*

Reſolved, That it is the Opinion of this Committee that the Name and Vote of the ſaid *Leonard Helm* ought to be ſtruck out of the Poll taken for Mr *Lee* at the ſaid Election.

Your *Committee* then proceeded to the Conſideration of ſuch Votes on the Petitioner's Poll as were objected to by the ſitting Member Mr *Lee*, and thereupon they beg Leave to inform the Houſe that it appears to them that *Richard Triſtoe*, who voted for the Petitioner, held 175 Acres of Land in the ſaid County, in Right of which he voted at the ſaid Election, which were conveyed to him by *Richard Triſtoe* the elder, by Deeds of Leaſe and Releaſe, duly executed and recorded, bearing Dates reſpectively the 16th and 17th Days of *November*, 1756, and that he had been in Poſſeſſion of the ſaid Land ever ſince the Dates of the ſaid Deeds.

Reſolved, That it is the Opinion of this Committee that the ſaid *Richard Triſtoe* had a good Right to vote for Burgeſſes at the ſaid Election.

It alſo appears to your *Committee* that *John Simmons*, who voted for the Petitioner at the ſaid Election, voted in Right of 100 Acres of Land which had been leaſed to one *William Muſe* by one *Thomas Arrington*, for three Lives, by Leaſe, bearing Date the 27th Day of *May*, 1754, which, after divers meſne Aſſignments, was aſſigned to one *Robert Hoyſtead*, with whoſe Widow the ſaid *John Simmons* intermarried the 26th of *October*, 1760: It alſo appeared that the Petitioner, into whoſe Hands the ſaid Leaſe had fallen, by Aſſignment from one *John Tyler*, did aſſign the ſame over to the ſaid *John Simmons* on the 27th Day of *April*, 1761; and that the Widow of the ſaid *Hoyſtead* lived on the ſaid Land, from the Death of her ſaid former Huſband, until her Intermarriage with the ſaid *Simmons*.

Reſolved, That it is the Opinion of this Committee that the ſaid *John Simmons* had no Right to vote for Burgeſſes at the ſaid Election.

It

It likewiſe appeared to your *Committee* that *Cornelius Kincheloe*, who voted for the 73
Petitioner at the ſaid Election, held 341 Acres of Land, which was deviſed to him by the Will of his Father *John Kincheloe*, dated the 16th of *March*, 1746, on Condition that he ſhould ſucceed in his Suit in the General Court with Colonel *William Fitzhugh;* and if not, that he ſhould then have one Half of the Land he lived on: That the ſaid Suit in the General Court was determined in the ſaid *Kincheloe's* Favour. It further appears that the ſaid *Kincheloe* had, before the Election, agreed to ſell the ſaid Land to one *Davis*, and had put him into Poſſeſſion thereof, but had not executed any Conveyance for the ſame.

Reſolved, That it is the Opinion of this Committee that the ſaid *Cornelius Kinchbloe* had a good Right to vote for Burgeſſes at the ſaid Election.

It further appeared to your *Committee* that *John Metcalfe*, who voted for the Petitioner, held 150 Acres of Land, which had been leaſed by *William Spiller* to his Father *John Metcalfe*, his Heirs, Executors Adminiſtrators and Aſſigns, by Leaſe, bearing Date the 27th Day of *November*, 1738, to hold to him, his Heirs, &c. for the natural Lives of the ſaid *John* the Father, his Wife *Diana*, and the ſaid *John* the Son: That the ſaid *John Metcalfe* the elder died ſome Time in the Year 1751 inteſtate, and that the ſaid *John Metcalfe* the Son hath ever ſince reſided on the ſaid Land, together with his Mother, who always paid Quitrents for the ſame.

Reſolved, That it is the Opinion of this Committee that the ſaid *John Metcalfe* had a good Right to vote for Burgeſſes at the ſaid Election.

It likewiſe appeared to the *Committee* that *Bridgar Haynie*, who alſo voted for the Petitioner, was in poſſeſſion of upwards of 100 Acres of Land, with two Plantations thereon which he claims under a ſuppoſed Will of his Father, which it appears was never finiſhed, nor legally executed, ehough admitted to Record in the County Court of *Culpeper* It alſo appears that one *Joſeph Fergufon*, and *Elizabeth* his Wife, by Deeds of Leaſe and Releaſe, dated reſpectively the 24th and 25th Days of *March*, 1744, conveyed to *Spencer Haynie*, eldeſt Son of *Anthony Haynie* the Father, and the ſaid *Bridgar Haynie*, 129 Acres of Land, which they have ever ſince held as joint Tenants, no Diviſion having been made between them, and that there are no Houſes on the ſaid laſt mentioned Lands: It doth alſo appear that both the ſaid *Spencer* and *Bridgar Haynie* voted at the ſaid Election.

Reſolved, That it is the Opinion of this Committee that the ſaid *Bridgar Haynie* had a good Right to vote at the ſaid Election.

It appears to your *Committee* that *William Watkins*, who alſo voted for the Petitioner at the ſaid Election, had been in Poſſeſſion of 75 Acres of Land in the ſaid County from the Year 1754, which was one Moiety of 150 Acres that had been leaſed by *Charles Carter*, Eſq; in the Year 1743, for three Lives, to one *Henry Watkins*, who deviſed the ſaid Moiety to his Son in Law *Fortunatus Legg*, who ſold the ſame to the ſaid *William Watkins*, but did not execute any Deed for the ſame after the ſaid Election.

Reſolved, That it is the Opinion of this Committee that the ſaid *William Watkins* had no Right to vote at the ſaid Election.

It further appears to your *Committee* that *James Leach*, *William Suitor*, *Rawleigh Dodſon* and *Edward Hughes*, who allvoted for the Petitioner at the ſaid Election, voted in Right of Lands which they ſeverally held in the ſaid County belonging to *Charles Carter*, Eſq; under Leaſes for Lives, made and executed to each of them reſpectively by and in the Name of Mr *Charles Carter*, Jun. Son and Heir apparent of the ſaid *Charles Carter* the elder, by his Direction.

Reſolved, That it is the Opinion of this Committee that the ſaid *James Leach*, *William* 74
Suitor, *Rawleigh Dodſon* and *Edward Hughes*, had no Right to vote for Burgeſſes at the ſaid Election.

It likewiſe appeared to your *Committee* that *George Harper*, who voted for the Petitioner at the ſaid Election, was in Poſſeſſion of 660 Acres of Land in the ſaid County; but that he held the ſame only as Tenant, at Will of *William Fitzhugh*, Eſq; to whom he paid Rent for the ſame.

Reſolved

Reſolved, That it is the Opinion of this Committee that the ſaid *George Harper* had no Right to vote at the ſaid Election.

It further appeared to your *Committee* that *Nathaniel Overall*, who voted for the Petitioner at the ſaid Election, was then, and from the Year 1749 had been, in Poſſeſſion of 100 Acres of Land in the ſaid County, which he had purchaſed of one *William Overall*, by Deeds of Leaſe and Releaſe, dated reſpectively the 7th and 8th of *July*, 1749, to whom the ſame was deviſed by the Will of his Father *John Overall*, dated the 16th of *September*, 1742, in theſe Words, to wit: "*Item*, I give and bequeath unto my Son *William Overall* all that Part of Land in both Tracts that is on the weſt Side of *Lucky* Run, except one Acre of Land that is convenient for building a Mill any Where on the Side of the Run; I give this Land only for his Life, not to leaſe nor ſell it, but to work on it as he pleaſes himſelf, or any belonging to him, not waſting the Timber, and after his Death to return to my Son *John Overall* as aforeſaid."

Reſolved, That it is the Opinion of this Committee that the ſaid *Nathaniel Overall* had a good Right to vote for Burgeſſes at the ſaid Election.

It alſo appeared to your *Committee* that *Burr Calvert*, who voted for the Petitioner, held only 93 Acres of Land in the ſaid County, without any Houſe, or other Improvement, thereon.

Reſolved, That it is the Opinion of this Committee that the ſaid *Burr Calvert* had no Right to vote for Burgeſſes at the ſaid Election.

It likewiſe appeared to your *Committee* that *Charles Harding* and *Barnaby Cannon* alſo voted for the Petitioner at the ſaid Election, who he acknowledged had no Right to vote, and therefore

Reſolved, That it is the Opinion of this Committee that the Names and Votes of the ſaid *Charles Harding* and *Barnaby Cannon* ought to be eraſed out of the Poll taken for the Petitioner at the ſaid Election.

Your *Committee* then proceeded to the Conſideration of that Part of the Petition of the ſaid *Henry Peyton*, complaining of Malepractices and Miſconduct of *Howſon Hooe*, then Sheriff of the ſaid County of *Prince William*, on the Day of the ſaid Election, and particularly of his cloſing the Poll on the firſt Day of the Election, contrary to his Agreement with the Petitioner and Mr *Baylis;* and having heard the Evidence on both Sides your Committee beg Leave to inform the Houſe that it appears to them that on the Day before the Election Mr *Baylis* went with the Petitioner to the Houſe of the ſaid Sheriff, when the Petitioner propoſed that the Poll ſhould be kept open until the Day after that appointed for the Election, in Order to give the Freeholders who lived above a large Run that was then conſiderably ſwelled by heavy Rains an Opportunity of attending the
75 ſaid Election, which the ſaid Sheriff ſaid he would willingly agree to, if he lawfully might; but Mr *Baylis* anſwered, that although he ſhould have no Objections to it, yet as Mr *Lee*, the other Candidate, was not preſent, he could not agree to it; and that the Petitioner thereupon, without any further Agreement, ſent Meſſengers to thoſe Freeholders to inform them that the Poll was to be kept open two Days; That on the Morning of the ſaid Election, the Petition having brought many of his Friends over the ſaid Run in a Veſſel he had provided for that Purpoſe, offered to buy the ſame of the Owner; and being aſked for what Uſe he wanted it, he anſwered that if he could get it he would ſplit it to Pieces, to prevent the other Freeholders getting over.

It further appears to your *Committee* that on the Day of the ſaid Election, moſt of the Freeholders preſent having given their Votes, the firſt Proclamation was made about Five o'Clock in the Afternoon, and ſome Time after, as no Voters appeared, a ſecond; from which Time until Sunſet, which was about two Hours, not more than two Freeholders appeared and voted, when, at the repeated Importunities of the ſitting Members, the ſaid Sheriff ordered a third Proclamation to be made; and no Freeholders appearing to vote, the ſitting Members then deſired the Sheriff to cloſe the Poll, which he refuſed to do, but about Nine o'Clock declared his Intention of keeping the Poll open until Twelve, when *Thomas Machin*, one of the Poll Takers told the Sheriff he would not ſtay until that Time; but the Sheriff inclining towards him deſired him, in a low Voice, not

to

to be uneaſy, for he would cloſe the Poll as ſoon as the Petitioner's Expreſſes that he had ſent into the Country from the Courthouſe in *Dumfries* for Voters returned; which Mr *Lee* overhearing, complained to the Sheriff that he had not behaved impartially towards him, for that if he had known Expreſſes had been ſent for Voters, he had ſome Friends near the Town who would have ventured out to ſerve him, and that at the Time Mr *Lee* had eleven Votes on the Poll more than the Petitioner: That the ſaid Sheriff kept the Poll open until Midnight, though he had frequently ſent out his Under Sheriff during that Time to inquire for Voters, and but one Perſon appeared for ſeveral Hours, who was brought in by one of the Petitioner's Expreſſes, and voted for him, notwithſtanding both the ſitting Members frequently expoſtulated with him on the Injuſtice and Partiality of his Proceedings, when the Petitioner anſwered he would indemnify him for his Conduct: It likewiſe appears that the ſaid Sheriff declared his Reaſon for keeping the Poll open ſo late was in Expectation that the Freeholders would get over the ſaid Run, and attend the Election; and that the People at the Door frequently gave out (though without any Truth) that they were coming, and that he did not uſe any indirect Means to influence the Voters at the ſaid Election.

It further appears that on the Morning after the ſaid Election there were about 15 Freeholders, Friends to Mr *Lee*, waiting to get over the ſaid Run, in Conſequence of the Intimation they had received from the Petitioner's Meſſenger that the Poll was to be kept open two Days.

Reſolved, That it is the Opinion of this Committee that the ſaid Petitioner hath not made good the Allegations of his Petition againſt the ſaid Sheriff.

Upon an Examination of a Copy of the Poll taken at the ſaid Election, it appeared to your Committee that the ſitting member Mr *Lee* had three Votes more than the Petitioner, ſeven of which, to wit, *Richard Marlour*, *William Rookard*, *Francis Kenner*, *George Thayer*, *Andrew Martin*, *Leonard Helm* and *Robert Forgey*, it is the Opinion of your Committee, had no Right to vote at the ſaid Election; and your Committee are alſo of Opinion that ten of the Perſons who voted for the Petitioner at the ſaid Election, to wit, *John Seymons*, *Charles Harding*, *Barnaby Cannon*, *William Watkins*, *James Leach*, *William Suitor*, *Rawleigh Dodſon*, *Edward Hughes*, *George Harper* and *Burr Calvert*, had no Right ſo to do; and that the ſitting Member Mr *Lee* had a Majority of ſix legal Votes on the ſaid Poll, *and therefore*

Reſolved, That the ſaid Mr *John Baylis* and Mr *Henry Lee* are duly elected to ſerve as Burgeſſes in this preſent General Aſſembly for the County of *Prince William*.

On a *Motion* made, 76

Ordered, That Mr *Lee* have Leave to withdraw his Complaint exhibited againſt the Sheriff and Under Sheriff of the County of *Prince William*, for ſeveral Malepractices committed at the Election of Burgeſſes for the ſaid County.

Ordered, That the ſaid *Henry Peyton* do pay unto the ſitting Members their Coſts occaſioned by the ſaid Petition.

A *Memorial* of *William Byrd*, Eſq; ſetting forth that in the Year 1760 a Plan was formed for attacking the *Cherokee* Indians by the Governments of *South Carolina* and this Colony, and your Memorialiſt was called down to command it, after having proceeded to *Juniata*, under the Command of General *Monckton;* that he travelled 400 Miles to the Place of Rendezvous, with his Servants only, to take the Command of the Regiment appointed to that Service; on his Return to *New York* he conſulted General *Monckton* whether he thought it reaſonable to apply to General *Amherſt* for an Allowance to *Virginia* for the Expenſe of that Campaign, and obtained a Promiſe from him to do every Thing in his Power to oblige him: That in the Spring following he came to *Virginia*, by Order of General *Amherſt*, to command the ſecond Expedition againſt the *Cherokees;* and he mentioned what paſſed between General *Monckton* and himſelf to the Governour, Council, the Speaker, and many Gentlemen of the Aſſembly: After the Campaign was over, he found Nothing had been done in the Affair, and then he waited on General *Amherſt* at *New York*, and ſpoke to him about the Expenſe of the Year 1760; who, with ſome Heſitation, gave him Leave to lay the Accounts before him: That he immediately

immediately applied to his Honour the Governour for the Vouchers and Certificates, which Doctor *Walker* could not prepare until the Middle of *April:* That as ſoon as the Papers came he went with Doctor *Walker* to *New York*, and obtained the General's Orders to the Commiſſioners to examine them; thoſe Gentlemen, finding ſeveral of the Papers deficient, told him they could not recommend them for Payment to the General: That he took ſome Pains to explain the Matter to the Commiſſioners, and they being convinced that the greateſt Part of them were juſt, they certified to the General that he would be ſafe in paying £10,000 Sterling, reſerving the Balance until he could produce all the Papers requiſite; which he engaged his Honour to do, or return him the Money: That Doctor *Walker* was afterwards ſent with the proper Vouchers, which gave Satiſfaction; and the Balance was thereupon received: That your Memorialiſt ſtaid a conſiderable Time in *Philadelphia*, was twice at *New York*, and was at a conſiderable Expenſe and Trouble in adjuſting this Affair; wherefore he hopes this Houſe will take his Service into Conſideration, and make him ſuch Allowance as they think it deſerves.

Ordered, That the ſaid Memorial be referred to the Conſideration of the Committee of Propoſitions and Grievances.

Mr *Bland* reported that he had, according to Order, waited on the Governour with the Addreſs of this Houſe, for diſcontinuing the Guard over the Magazine in this City: To which his Honour was pleaſed to Anſwer, that he would immediately comply with the Deſire of the Houſe; but as there is a large Quantity of Powder in the Magazine, he thinks it prudent to continue the Guard until the Sentiments of the Houſe are known how the Powder ſhall be diſpoſed of.

Mr *Richard Henry Lee*, from the Perſons to whom the Petition of Mr *William Bronaugh* was referred, reported that they had examined into the Allegations thereof,
77 and found them to be true, and had come to a Reſolution thereupon; which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe, and is as follows:

Reſolved, That the ſaid *William Bronaugh* be allowed one full Year's pay, as Captain of the *Virginia* Regiment in the Year 1757, as a Recompenſe for his Services, the Loſſes he ſuſtained, and Hardſhips he ſuffered, the Campaign at the Reduction of Fort *DuQueſne*, when he ſerved as a Volunteer, at his own Expenſe.

Ordered, That the ſaid Reſolve be fairly tranſcribed, and that Mr *Richard Henry Lee* do carry it to the Council for their Concurrence.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill For further continuing and amending the Act, entitled *An Act*[1] *for the better regulating and collecting certain Officers Fees, and for other Purpoſes therein mentioned.*

Reſolved, That the Houſe will reſolve itſelf into a Committee on the ſaid Bill on *Tueſday* next.

Mr *Cary*, from the Committee of Claims, reported that the ſaid Committee had had under their Conſideration an Information againſt *Bertrand Ewell* to them referred, and had agreed upon a Report, and come to a Reſolution thereupon; which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe, as follows:

It appeared to your *Committee* that the ſaid *Bertrand Ewell* put in a Claim, on Oath, to the Aſſembly, at laying the laſt publick Levy, for 2008 Weight of Tobacco for his Tithables employed in the *Quantico* Iron Works, agreeable to Liſts by him given in to the Magiſtrates who took the Liſt of Tithables for the County of *Prince William* for the Years 1759 and 1760, which Tobacco was levied for him in the laſt Book of Claims; it alſo appears to your Committee that the ſaid *Bertrand Ewell* never has erected, or begun to erect, any Iron Works at the place aforeſaid.

Reſolved, That the ſaid 2008 Weight of Tobacco be levied on the ſaid *Bertrand Ewell*, to repay the Publick.

Reſolved, That the ſaid *Bertrand Ewell* hath been guilty of a high Crime and Miſdemeanor.

Ordered

[1] Hening, V, p. 326.

Ordered, That the ſaid *Bertrand Ewell* be taken into Cuſtody of the Sergeant at Arms.

A *Petition* of *Richard Sandford* and *Robert Sandford*, Inſpectors at *Hunting Creek* Warehouſe, in the County of *Fairfax*, ſetting forth that they have for many years executed that Office for a Salary very inadequate to their Trouble and Expenſe, being allowed only £30 for receiving and inſpecting 1000 Hogſheads of Tobacco *per Annum;* and praying that ſome Allowance may be made them for their paſt Services, and a Salary proportioned to their Trouble for the Future, was preſented to the Houſe and read.

Ordered, That the ſaid Petition do lie on the Table.

A *Petition* of *James Cocke*, ſetting forth that ſince his Appointment to the Clerkſhip of the publick Treaſury the Buſineſs of that Office is ſo greatly increaſed as to require his conſtant Attendance, and praying his Salary may be augmented, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Committee appointed to ſettle the Treaſurer's Accounts; that they examine into the Allegations of the ſaid Petition, and report the ſame, with their Opinion thereon, to the Houſe.

A *Bill* For dividing the County of *Lunenburg* in three diſtinct Counties was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time. 78

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill To explain and amend one Act of Aſſembly, made in the 4th Year of the Reign of Queen *Anne*, entitled, *An Act*[1] *for regulating the Elections of Burgeſſes, for ſettling their Privileges, and for aſcertaining their Allowances*, alſo one other Act, made in the 10th Year of *George* II. entitled, *An Act*[2] *to declare who ſhall have a Right to vote in the Election of Burgeſſes to ſerve in the General Aſſembly for Counties, and for preventing fraudulent Conveyances in Order to multiply Votes at ſuch Elections.*

Reſolved, That the Houſe will again reſolve itſelf into the ſaid Committee Tomorrow.

A *Petition* of *Richard Pearis*, praying he may be allowed his Account due from the Colony ever ſince the Year——— when he was ordered out with Major *Andrew Lewis* to the *Cherokee* Nation, he having never received any Satiſfaction for the ſame, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Saturday, the 4th of December. 3 Geo. III. 1762.

MR *Attorney* reported that the Committee appointed had, according to Order, waited on the Governour to kno whis Pleaſure when the Houſe ſhould attend him with their Addreſs; and that he was pleaſed to appoint this Day, and to ſay he would ſend a Meſſage to the Houſe when he was ready to receive it.

A *Petition* of *James Thurſton*, praying to be allowed the Difference between the Money of this Colony and that of *Pennſylvania* for ſo much ſhort paid him by Colonel *Byrd*, for his Services as Armorer in the Campaign of 1761; and praying the Conſideration of this Houſe, was preſented to the Houſe and read; and the Queſtion being put that the ſaid Petition be referred to a Committee.

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

A *Petition* of the Juſtices of the County of *Glouceſter*, praying to be allowed by the Publick 2500 lbs. of Tobacco, by them expended in repairing the publick Wharf at the Inſpection at *Glouceſter* Town, the Rents of the ſaid Warehouſe being inſufficient to reimburſe them, was preſented to the Houſe and read.

Ordered

[1] Hening, III, p. 236. [2] *Ibid.*, IV, p. 475

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Petition* of the Inſpectors at *Wicomico* Warehouſe, ſetting forth that their Salary was ſettled at £35, ſince which there has been another Inſpection eſtabliſhed on the oppoſite Side of the River, which the Petitioners likewiſe attend; that the Tobacco received at the ſaid Inſpections is increaſed one third, ſince their Salary was firſt ſettled; and praying the Conſideration of the Houſe therein, was preſented to the Houſe and read.

79 *Ordered*, That the ſaid Petition do lie on the Table.

A *Petition* of *James Galt*, Keeper of the publick Gaol, praying a Continuance of his former Salary.

Reſolved, That the additional Sum of £15 be paid to the ſaid *James Galt*, over and above his uſual Salary of £25 a Year.

Reſolved, That 10 lbs. of Tobacco a Day be allowed to the ſaid *James Galt*, for every Criminal committed to the ſaid Gaol, during ſuch Criminal's Impriſonment, from this Time to the End of the next Seſſion of Aſſembly.

A *Petition* of *Thomas Drake*, praying to be allowed for his three Servants who enliſted in the late *Virginia* Regiment, having never received any further Satiſfaction for them than £5, was preſented to the Houſe and read; and the Queſtion being put that the ſaid Petition be referred to a Committee,

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

A *Meſſage* from the Governour was delivered by Mr *Walthoe*.

Mr Speaker,

I am commanded by the Governour to acquaint this Houſe that his Honour is now ready to receive their Addreſs in the Council Chamber.

Mr *Speaker*, with the Houſe, went up; and being returned, reported that he had, with the Houſe, attended the Governour in the Council Chamber, and preſented the Addreſs of this Houſe to him, to which he was pleaſed to anſwer.

Mr Speaker, and Gentlemen of the Houſe of Burgeſſes,

It would have given me the greateſt Pleaſure if the Situation of the Affairs of this Colony would have encouraged you to have kept the Regiment on Foot until we had a Certainty of a firm Peace being concluded between his Majeſty and his Enemies. I hope the Reaſons you have aſſigned for diſcontinuing it, will take away any Imputation of an Abatement of your Zeal in his Service; and that they may anſwer this End as much as poſſible, I will tranſmit them to the Right Honourable the Board of Trade by the firſt Conveyance, that they may be laid before his Majeſty.

The *Order* of the Day being read, the Houſe again reſolved itſelf into a Committee on the ſaid Bill To explain and amend one Act of Aſſembly, made in the 4th Year of the Reign of Queen *Anne*, entitled, *An Act*[1] *for regulating the Election of Burgeſſes, for ſettling their Privileges, and for aſcertaining their Allowances*, alſo one other Act, made in the 10th Year of *George* II. entitled, *An Act*[2] *to declare who ſhall have a Right to vote in the Election of Burgeſſes to ſerve in the General Aſſembly for Counties, and for preventing fraudulent Conveyances in Order to multiply Votes at ſuch Election;* and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had had the ſaid Bill under their further Conſideration, and gone through the ſame, and had made ſeveral Amendments thereto.

Ordered, That the ſaid Report be conſidered on *Monday* next.

A *Petition* of *Bertrand Ewell*, ſetting forth that he is attending in the Cuſtody of the Sergeant at Arms, in Obedience to the Order of this Houſe, for having been guilty of a high

[1] Hening, III, p. 236. [2] *Ibid.*, IV, p. 475

high Crime and Misdemeanor, in presenting an unjust Demand to this honourable House, claiming an Allowance to be made him for some Slaves employed by him in Iron Works, the Owners of which are by Law exempt from paying Taxes for them, and begs Leave to represent that the said Charge is entirely groundless, he having made a considerable Progress towards erecting a Furnace for carrying on an Iron Work on some of his Lands in the County of *Prince William*, having raised a Dam, and cut Races for that Purpose, in which Work every Slave mentioned in his Claim had been employed, the Truth of which he is ready to verify; and praying he may be discharged out of Custody, and that proper Time may be allowed him to prove his Assertions, was presented to the House and read. 80

Ordered, That the said Petition be referred to the Committee of Privileges and Elections; that they examine into the Allegations thereof, and report the same, with their Opinion thereon, to the House.

A *Claim* of *Peter Warren*, for taking up a Runaway therein mentioned, was presented to the House, and referred to the Consideration of the Committee of Claims.

And then the House adjourned until Monday Morning 11 o'Clock.

Monday, the 6th of December, 3 Geo. III. 1762.

SUNDRY *Claims* of *Joseph Dupree*, *John Towns*, *Robert Estes*, and *Thomas Moore*, and sundry Militia Accounts from the County of *Lunenburg*, for taking up Runaways therein mentioned, were severally presented to the House and received, and referred to the Consideration of the Committee of Claims.

A *Claim* of *William M'Mahon*, for taking up a Deserter therein mentioned, was presented to the House and received.

Ordered, That the said Claim be referred to the Consideration of the Committee of Claims; that they examine into the Allegations thereof, and report the same, with their Opinion thereon, to the House.

A *Petition* of *William Banks*, setting forth that in the Year 1760 he had a Commission from his Honour the Governour to enlist Soldiers for the *Virginia* Regiment, and did enlist several, which he marched to the Place appointed for their Rendezvous among whom was one, *William Edlington*, an able bodied Man, who was refused on Account of his Size; that he paid him £10, the Bounty Money, and sustained the Expense of marching him to the Place of Rendezvous, for which he has received no Satisfaction; and praying the Consideration of the House therein, was presented to the House and read.

Ordered, That the said Petition be referred to the Consideration of the Committee of Claims; that they examine into the Allegations thereof, and report the same, with their Opinion thereon, to the House.

A *Petition* of sundry Persons in the Counties of *Frederick*, *Augusta* and *Hampshire*, setting forth that their Waggons and Teams were impressed into his Majesty's Service the Campaign under General *Stanwix;* that through the Length of their Journey, and Difficulties attending the March in bad Roads, but more particularly their Want of Forage, their Teams suffered greatly, several of their Horses dying, and others so much worn out that they could not travel, and were obliged to be left on the Road, together with the Waggons, Gear, &c. that they have only been paid for Waggonage; and praying they may be satisfied for their Losses by the Publick, was presented to the House and read: and the Question being put that the said Petition be referred to a Committee,

It passed in the Negative.

Resolved, That the said Petition be rejected.

A *Petition* of *John Field* and *John Posey*, formerly Captains in the 2d *Virginia* Regiment, in Behalf of the non-commissioned Officers and private Men of their Companies, praying to be allowed their extra Pay as Artificers in clearing the Roads to Fort *Du Quesne*, *&c.* was presented to the House and read.

Ordered

81 *Ordered*, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Mr *Attorney* reported, according to Order, the Amendments to the Bill To explain and amend one Act of Aſſembly made in the 4th Year of the Reign of Queen *Anne*, entitled, *An Act*[1] *for regulating the Election of Burgeſſes, for ſettling their Privileges, and for aſcertaining their Allowances*, alſo one other Act, made in the 10th Year of *George* II. entitled, *An Act*[2] *to declare who ſhall have a Right to vote in the Election of Burgeſſes to ſerve in the General Aſſembly for Counties, and for preventing fraudulent Conveyances in Order to multiply Votes at ſuch Elections;* which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, with ſome Amendments.

Ordered, That the Bill, with the Amendments, as amended, be engroſſed, and read a third time.

A *Petition* of the Inſpectors at *Quantico* Warehouſe, praying their Salaries may be augmented, was preſented to the Houſe and read.

Ordered, That the ſaid Petition do lie on the Table.

A *Petition* of ſundry Inhabitants of the County of *Amelia*, praying that the Time for beginning to inſpect Tobacco may be fixed to the firſt of *October* in every Year, and that an Act may paſs for that Purpoſe.

Alſo a *Petition* of ſundry Inhabitants of the County of *Goochland*, to the ſame Effect, were ſeverally preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Petition* of the Inſpectors at *Roy's* Warehouſe, in the County of *Caroline*, praying to be allowed the Sum of £18. 18*s*. for Tobacco ſtolen out of the ſaid Warehouſe, the Property of *John Baylor*, Eſq; *Richard Buckner* and *Lunſford Lomax*, Gentlemen, and which they have been obliged to pay the ſaid Proprietors, was preſented to the Houſe and read.

Ordered, That the ſaid Petition do lie on the Table.

A *Claim* of *William Marſton*, Sheriff of *James City* County, for 270 lbs. of Tobacco, was preſented to the Houſe and received, and referred to the Conſideration of the Committee of Claims.

Several *Claims* of *Edmund Allen*, *Thomas Parker* and *James Howell*, for taking up Runaways therein mentioned, were ſeverally preſented to the Houſe and received, and referred to the Conſideration of the Committee of Claims.

Mr *Cary*, from the Committee of Claims, reported that the ſaid Committee had had under their Conſideration ſeveral Matters to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again read, and are as follow:

Reſolved, That the Petition of *William Sweene*, a wounded Soldier, is reaſonable; and that he ought to be allowed the Sum of £5 a Year, as a Conſideration for the wound he received in the Service of this Colony.

Reſolved, That the Petition of *Joſeph Donaldſon*, late Surgeon's Mate in the *Virginia* Regiment, to be allowed half Pay for one Year, be rejected.

On conſidering the *Claim* of *Richard Doggett*, it appeared to your Committee that
82 *Nelſon*, a Slave belonging to the ſaid *Doggett*, was on the 5th Day of *October*, 1761, tried at a Court of *Oyer* and *Terminer* in *Bedford* County, and condemned for Felony; that a few Days after the Priſon of the ſaid County was broke open, and the ſaid Slave eſcaped, and hath never been heard of ſince.

Reſolved, That the ſaid *Richard Doggett* ought to be paid the Sum of £80 for the ſaid Slave by the Publick.

On

[1] Hening, III, p. 236. [2] *Ibid.*, IV, p. 475.

On conſidering the *Claim* of the Adminiſtrators of *Chriſtopher Gift*, deceaſed, it appeared to your Committee that the ſaid *Chriſtopher Gift*, deceaſed, did, on the Settlement of an Account againſt this Colony, on the 14th of *June*, 1758, give the Colony Credit for £600 received by him of Sir *John St. Clair*, Bart. for the ſouthern *Indians* Service, which Sum was afterwards diſallowed the ſaid *Gift* by *Samuel M'Caul*, Jun. *Alexander Stedman* and *John Ingles*, Commiſſioners for the Crown, and deducted by them out of the ſaid *Chriſtopher Gift's* Account againſt the Crown.

Reſolved, That the Adminiſtrators of the ſaid *Chriſtopher Gift*, deceaſed, ought to be allowed the ſaid Sum of £600 by the Publick.

On conſidering the *Claim* of the Reverend *Archibald Dick*, it appeared to your Committee that *Bob*, a Negro Man Slave belonging to the ſaid *Dick*, was, at a Court of *Oyer* and *Terminer* held in *Caroline* County the 25th Day of *October* laſt paſt, condemned for Felony, but broke Gaol before the Day appointed for his Execution, and hath not been heard of ſince: It appeared to your Committee that Application was made to the ſaid *Dick* to apply for a Pardon for his Slave, but he refuſed; and gave as a Reaſon that the ſaid *Bob* was ſo notorious an Offender that he ought to be made an Example of.

Reſolved, That the ſaid *Archibald Dick* ought to be allowed the Sum of £100 for his ſaid Slave by the Publick.

The *four* firſt Reſolutions being twice read, were agreed to by the Houſe.

The *laſt* Reſolution being alſo twice read, was diſagreed to.

Ordered, That the ſaid Reſolution be recommitted to the ſaid Committee.

A *Petition* of *William Frafier*, ſetting forth that he hath lately, at a great Expenſe, raiſed a Cauſey through the Marſh oppoſite to the publick Ferry eſtabliſhed from his Plantation over *Mattapony* River, to the Land of *George Braxton*, Eſq; deceaſed, by the Permiſſion of *Carter Braxton*, Eſq; Guardian to his the ſaid *George's* Children; that the ſaid Cauſey will be of great Utility to the Publick, if the Landing Place over the ſaid River was eſtabliſhed there, as it ſhortens the Paſſage near Half a Mile; and praying that he may be enabled to keep up the ſaid Cauſey, and that the ſame may be eſtabliſhed the publick Landing over the ſaid River, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations of the ſaid Petition, and report the ſame, with their Opinion thereon, to the Houſe.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, preſented to the Houſe, according to Order, a Bill To repeal an Act, made in the 22d Year of his late Majeſty's Reign, entitled, *An Act*[1] *concerning Strays*, and to eſtabliſh a more effectual Method to prevent Frauds committed by Perſons taking up Strays; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Alſo a *Bill* For diſſolving the Veſtry of the Pariſh of *Truro*, in the County of *Fairfax*, and electing a new Veſtry in the ſaid Pariſh; and the ſame was read the firſt Time, and the Queſtion being put that the ſaid Bill be read a ſecond Time, 83

It paſſed in the Negative.

Reſolved, That the ſaid Bill be rejected.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Tuesday, the 7th of December. 3 Geo. III. 1762.

A *Petition* of ſundry Inhabitants of the County of *Albemarle*, in Behalf of themſelves and others, praying that an Act may be paſſed to enable ſuch of them as ſhall be willing to undertake it, to erect a Bridge over the north Branch of *James* River, at their own Expenſe, at the moſt convenient Place near the Courthouſe of the ſaid County; and that they may be alſo authoriſed to demand and receive a certain Toll from all Perſons who ſhall paſs over the ſaid Bridge, as ſhall be thought fit.

Alſo

[1] Hening, VI, p. 133.

Alſo a *Petition* of *Peter Jones*, ſetting forth that he hath laid off, at a great Expenſe, 28 Acres of his Land adjoining the Town of *Peterſburg* into Lots, and praying that an Act may paſs to annex the ſaid 28 Acres of Land ſo laid off as aforeſaid to the ſaid Town of *Peterſburg*, and that the Freeholders and Inhabitants of the ſame may enjoy the ſame Privileges as the Freeholders and Inhabitants of other Towns erected by Act of Aſſembly enjoy, were ſeverally preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that the ſaid Committee had had under their Conſideration the Memorial of the Officers of the *Virginia* Regiment to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, with an Amendment, as follow:

Reſolved, That the Allegations of the ſaid Memorial are true.

Reſolved, That the Sum of £100 ought to be paid by the Publick to the Colonel and other Field Officers of the ſaid Regiment, the Sum of £75 to every Captain, and the Sum of £50 to each ſubaltern Officer of the ſaid Regiment, as a Satiſfaction for the Expenſes they were lately put to in providing themſelves with Camp Equipage, and other incident Charges, when the ſaid Regiment was raiſed.

Reſolved, That the Colonel, and every other Officer of the ſaid Regiment, ought moreover to be allowed one half Year's Pay, according to their reſpective Commiſſions, as a Recompenſe for their faithful Services to their Country.

Reſolved, That the Officers of the ſaid Regiment, in Conſideration of their long and faithful Services to this Country, ought to be recommended to his Majeſty by this Houſe for his Favour and Protection.

Mr *Attorney* alſo reported that the ſaid Committee had had under their Conſideration divers Petitions from ſundry Inhabitants of the Pariſhes of *St. David*, in the County of *King William*, and of the lower End of *St. Margaret's*, in the County of *Caroline*, praying that Part of the ſaid Pariſh of *St. Margaret* may be added to the ſaid Pariſh of *St.*
84 *David's* according to the Lines therein particularly expreſſed: Alſo a Petition of ſundry other Inhabitants of the ſaid Pariſh of *St. Margaret's*, in Oppoſition to the ſaid Petitions for a Diviſion; and had come to the following Reſolutions thereon:

Reſolved, That the ſaid Petition, praying a Diviſion of the ſaid Pariſh of *St. Margaret*, be rejected.

Reſolved, That the ſaid Petition, in Oppoſition thereto, is reaſonable.

Ordered, That the ſecond and third Reſolutions be engroſſed, and that Mr *Attorney* do carry them up to the Council for their Concurrence.

Ordered, nemine contradicente, That it be an Inſtruction to the ſaid Committee to prepare an Addreſs to his Majeſty, purſuant to the laſt Reſolution.

Mr *Bland*, from the Committee of Privileges and Elections, reported that the ſaid Committee had had under their Conſideration the Petition of *Bertrand Ewell* to them referred, and had come to the following Reſolution thereon; which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe, as follows:

Reſolved, That the ſaid *Bertrand Ewell* be allowed Time, until the next Seſſion of Aſſembly, to prove the Allegations of his ſaid Petition; that in the Meantime he be diſcharged out of Cuſtody, paying Fees; and that the ſaid Petition be referred to the Conſideration of the next Seſſion of Aſſembly.

Mr *Attorney*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill For diſpoſing of the publick Stores of Gunpowder in the Magazine in the City of *Williamſburg*, and for other Purpoſes therein mentioned; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

An

An engroſſed *Bill*, entitled, *An Act*[1] *for appointing Directors and Truſtees for the Town of* Blandford, *in the County of* Prince George, *and to prevent Hogs running at Large therein*, was read a third Time, and the Blanks therein filled up.

Reſolved, That the Bill do paſs.

Ordered, That Mr *Bland* do carry up the ſaid Bill to the Council for their Concurrence.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill For further continuing and amending the Act, entitled *An Act*[2] *for the better regulating and collecting certain Officers Fees, and for other Purpoſes therein mentioned.*

Reſolved, That the Houſe will reſolve itſelf into a Committee on the ſaid Bill Tomorrow.

An engroſſed *Bill*, entitled, *An Act*[3] *for the more effectual keeping the publick Roads and Bridges in Repair*, was read a third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Bland* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[4] *for dividing the County of* Lunenburg *into three diſtinct Counties*, was read the third Time, and the Blanks therein filled up; and the Queſtion being put that the ſaid Bill do paſs.

It paſſed in the Negative.

A *Meſſage* from the Governour was delivered by Mr *Walthoe*.

Mr *Speaker*,

The Governour has commanded me to lay before your Houſe a Letter which he has juſt received from Colonel Stephens.

And the ſaid *Letter* was read, and ordered to lie on the Table.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Wednesday, the 8th of December, 3 Geo. III. 1762.

AN engroſſed *Bill*, entitled, *An Act*[5] *for directing and better regulating the Election of Burgeſſes, for ſettling their Privileges, and for aſcertaining their Allowances*, was read the Third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Richard Henry Lee* do carry up the ſaid Bill to the Council for their Concurrence.

Two certified *Accounts* of Captain *Blagg*, for Waggonage and Recruiting therein mentioned, were preſented to the Houſe and received.

Ordered, That the ſaid Accounts be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To empower Tenants in Taille to make Leaſes for three Lives, or 21 Years; and it is referred to Mr *Richard Henry Lee*, Mr *Edmund Pendleton* and Mr *George Johnſon*, to prepare and bring in the ſame.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that the ſaid Committee had had under their Conſideration divers Propoſitions and Petitions to them referred, and had come to the following Reſolutions thereupon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That the Memorial of the Honourable *William Byrd*, Eſq; praying that he may be allowed ſome Satiſfaction for the Trouble he was at, and the Expenſes he incurred

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1 Hening, VII, p. 608.
2 *Ibid.*, V, p. 326.
3 *Ibid.*, VII, p. 577.
4 Did not become a law.
5 Hening, VII, p. 517.

incurred, in attending his Excellency Sir *Jeffery Amherſt* at *New York*, and obtaining his Warrant for examining and ſettling the Expenſes of this Colony for the Campaign of the Year 1760, is reaſonable; and that he ought to be allowed the Sum of £500 for his ſaid Services.

Reſolved, That the Petition of Mr *George Mercer*, praying that he may be allowed ſome ſatiſfaction for the Trouble he was at, and the Expenſes he incurred, in attending the Commiſſioners appointed by his Excellency Sir *Jeffery Amherſt* at *New York*, for ſettling the Accounts of the Expenſes of this Colony for the Campaign of the Year 1760, is reaſonable; and that he ought to be allowed the Sum of £500, for his ſaid Services.

Reſolved, That the Petition of *Allan Macrae*, praying that *Bertrand Ewell* may be obliged to make him a Satiſfaction for a Piece of his Land, which was laid off into a Street, in the Town of *Dumfries*, in the County of *Prince William*, by the Truſtees of the ſaid Town, by which the ſaid *Bertrand Ewell*, as Proprietor of ſeveral Lots fronting the ſaid Street, is principally benefited, be rejected.

Reſolved, That the Petition of *Robert Rutherford* and *Mary Wood*, in Behalf of themſelves and others, praying that they may be paid by the Publick for Timber taken off their reſpective Lands, and made Uſe of in building Fort *Loudoun*, in *Winchester*, is reaſonable.

86 *Reſolved*, That the Petition of ſundry Inhabitants of the Pariſh of *St. Anne*, in the County of *Albemarle*, complaining that the Veſtry of the ſaid Pariſh was illegally elected, and praying that the ſaid Veſtry may be diſſolved, ought to be rejected, no Perſon appearing to prove the Allegations of the ſaid Petition.

Ordered, That the two firſt Reſolutions be engroſſed, and that Mr *Attorney* do carry them up to the Council for their Concurrence, and that the Committee of Propoſitions and Grievances do prepare and bring in a Bill or Bills purſuant to the 4th Reſolution.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Bill, *entitled*, An Act[1] for the more effectual keeping the publick Roads and Bridges in Repair, *with an Amendment, to which they deſire the Concurrence of this Houſe.*

Alſo to the Bill, *entitled*, An Act[2] for appointing Directors and Truſtees for the Town of *Blandford*, in the County of *Prince George*, and to prevent Hogs running at Large therein, *without any Amendment.*

On a *Motion* made,

Ordered, That Mr *John Clack* have Leave to withdraw his Petition preſented at a former Seſſion of this General Aſſembly againſt Mr *Iſaac Rowe Walton*, complaining of an undue Election and Return of the ſaid Mr *Iſaac Rowe Walton* to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Brunſwick*.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill For further continuing and amending the Act, entitled, *An Act*[3] *for the better regulating and collecting certain Officers Fees, and for other Purpoſes therein mentioned.*

Reſolved, That the Houſe will reſolve itſelf into a Committee on the ſaid Bill Tomorrow.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, to whom the Bill For deſtroying Crows and Squirrels was committed, reported that the ſaid Committee had had the ſaid Bill under their Conſideration, and had made an Amendment hereto; which he read in his Place, and then delivered in at the Table.

And on a *Motion* made,

Ordered, That the ſaid Bill be committed to a Committee of the Whole Houſe immediately.

And then the Houſe reſolved itſelf into the ſaid Committee; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee

[1] Hening, VII, p. 577. [2] *Ibid.*, VII, p. 608. [3] *Ibid.*, V, p. 326.

mittee had had the ſaid Bill under their Conſideration, and gone through the ſame, and had made an Amendment thereto, which they had directed him to report to the Houſe; and he read the ſame in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill, with the Amendments, as amended, be engroſſed, and read a third Time.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Thurſday, the 9th of December, 3 Geo. III. 1762.

MR *Legrand*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill For altering the Court Day of the County of *Prince* 87
Edward; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Mercer*, from the Perſons to whom the Petition of *Nathaniel Stedman* was referred, reported that they had had the ſame under their Conſideration, and agreed on a Report, and come to a Reſolution thereon; which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe, as follows:

It appears to your *Committee*, from the Information of ſundry Officers of the *Virginia* Regiment, that the ſaid *Nathaniel Stedman* was a Soldier in the ſaid Regiment, and was taken Priſoner by the Savages, as is ſet forth in his ſaid Petition, and that he remained in Captivity for the Space of two Years and three Months, when he made his Eſcape, and was returning to join his Regiment, but was taken ſick at the Croſſings of *Yauyaugaine*, and did not arrive before the Regiment was diſbanded, and that he has enliſted again in the Regiment, under the late Act of Aſſembly.

Reſolved, That the ſaid *Nathaniel Stedman* be allowed the Sum of £35, in full for his Pay, and a Compenſation for the Hardſhips he ſuffered during his Captivity.

Reſolved, That his Arrears of Pay due before his being made a Priſoner ought to be ſettled and paid him by the Paymaſter of the *Virginia* Regiment.

A *Bill* For Relief of inſolvent Debtors, for the effectual Diſcovery and more equal Diſtribution of their Eſtates, was read the ſecond Time, and ordered to be committed to a Committee of the whole Houſe Tomorrow.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that the ſaid Committee had had under their Conſideration the Petition of Mr *Richard Pearis* to them referred, and had examined into his Accounts referred to by the ſaid Petition, which he laid before the Committee, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That the ſaid *Richard Pearis* ought to be paid by the Publick the Sum of £174. 12*s*. 3d. being for Proviſions and other Neceſſaries furniſhed by him to the *Cherokee* Indians, and for his Pay as a Captain of a Company of Rangers from *April* 1756 to the 1st of *December* following, including alſo Pay by him advanced to the Company under his Command.

Reſolved, That the Sum of £ *127. 2s. 10d.* charged in his ſaid Accounts, as for the Balance of his Company's Pay, be rejected.

Reſolved, That the Article of £65. 10s. charged in his ſaid Account for his own Pay from the 1st of *December* 1756 to the 10th of *May* 1757, as a Conductor to the *Cherokee* Indians, is chargeable on his Majeſty's Revenues, and not on the publick Treaſury of this Colony.

Reſolved, That the Article of *£81. 18s.* charged in the ſaid Account for Horſes and Packſaddles delivered to Colonel *David Stewart* for the Expedition againſt the *Shawaneſſe*, ought to be referred to the Conſideration of the next Seſſion of Aſſembly.

Ordered

Ordered, That the firſt Reſolution be engroſſed, and that Mr *Attorney* do carry it up to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act for deſtroying Crows and Squirrels*, was read the third Time, and the Blanks therein filled up.

88 On a *Motion* made,

An engroſſed *Clauſe* was added to the Bill, as a Rider; and then the Queſtion being put that the ſaid Bill do paſs, the Houſe divided.

Yeas go forth

Yeas, 37.

Noes, 33.

Reſolved in the Affirmative.

Ordered, That Mr *Cary* do carry up the ſaid Bill to the Council for their Concurrence.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, preſented to the Houſe, according to Order, a Bill For eſtabliſhing quarterly Courts in the ſeveral Counties of this Colony.

Alſo a *Bill* For regulating the Gold Coin of the *German* Empire.

Alſo a *Bill* To empower *Carter Henry Harriſon*, Gentleman, to build a Mill on *Willlf's* Creek, in the County of *Cumberland;* and the ſaid Bills were read the firſt Time and ordered to be read a ſecond Time.

Mr *Attorney*, from the Committee appointed, preſented to the Houſe, according to *Order*, a Bill Declaring Slaves to be perſonal Eſtates, and for other Purpoſes therein mentioned; and the ſame was read the firſt Time, and ordered to be read the ſecond Time.

Mr *Cary*, from the Committee of Claims, reported that the ſaid Committee had had under their further Conſideration the Claim of the Reverend *Archibald Dick* to them recommitted, and had agreed upon a Report, and come to a Reſolution thereon; which he read in his Place, and then delivered in at the Table, where it was again Twice read, and agreed to by the Houſe, as follows:

It appeared to your *Committee* that ſince the ſaid Claim was preſented to this Houſe and referred to your Committee, the ſaid Mr *Dick* hath obtained a Pardon for the Slave in his ſaid Claim mentioned.

Reſolved, That the ſaid Claim be rejected.

Mr *Cary* alſo reported that the ſaid Committee had had under their Conſideration the ſeveral matters to them referred, and had come to ſeveral Reſolutions thereon; which he alſo read in his Place, and then delivered in at the Table, where they were again read, and are are follow:

Reſolved, That the Petition of the Juſtices of *Glouceſter* County, to be repaid 2500 lbs. of Tobacco for repairing the Wharf at the Warehouſe at *Glouceſter* Town, in that County, is reaſonable; and that they ought to be allowed the ſaid Tobacco by the Publick, the Rents of the ſaid Warehouſe not being ſufficient to reimburſe them the ſame.

Reſolved, That the Petition of *William Banks*, to be repaid the Bounty Money of a Soldier enliſted by him for the *Cherokee* Expedition, and refuſed by the Commanding Officer at the Place of Rendezvous, on Account of his Size, is reaſonable; and that he ought to be allowed the Sum of £10, the Bounty Money paid by him to the ſaid Recruit, and the further Sum of £30, his Expenſes in recruiting, it appearing to this Committee that he was an able bodied Man.

On conſidering the *Petition* of Capt. *John Field* and Capt. *John Poſey*, in Behalf of their Companies of Artificers, it appeared to your Committee that the two Companies commanded by the Petitioner were employed as Artificers in the Campaign in the Year 1758, and by the Honourable *William Byrd*, Eſq; their Colonel (by Order of the
89 General) promiſed 6d. a Day extraordinary Pay for that Service, in which they behaved remarkably well; it alſo appeared to your Committee that Colonel *Byrd* paid each of the ſaid Men 20s. by Order of the General, who directed the Captains to apply to this Colony for the Reſt of their Pay.

Reſolved

Reſolved, That the non-commiſſioned Officers and private Men of the ſaid Companies ought to be paid for the Time they were on that Duty by the Publick, at the Rate of 6d. a Day, deducting the Sum of 20s. received by each Man of the ſaid Companies as aforeſaid, according to the ſaid Captains Pay Roll, amounting as follows, *to wit*: The ſaid Captain *Field's* Company, the Sum of £375. 6s. and the ſaid Captain *Poſey's* Company, the Sum of £302. 16s.

On conſidering the *Account* of Doctor *Hugh Mercer* againſt the Publick, it appeared to your Committee that the ſaid *Mercer* ſupplied the Regiment with Medicines, delivered out in Doſes, to the Amount of £176. 5s. 6d. Halfpeny, the Articles of which are lower than are commonly charged by Apothecaries; that the Account began the 24th of *April*, 1762, and that he continued ſupplying them in the ſame Manner until the 5th of *October* following, at which Time your Committee find another Article charged for a Medicine Cheſt, amounting to £125. 15s. 2d. It alſo appeared to your Committee that the Regiment was very ſickly, and many of the Soldiers had the Smallpox. Your Committee find that the higheſt Charge for a Medicine Cheſt for any former Campaign was £84. 16s. 8d.

Reſolved, That the ſaid *Hugh Mercer* ought to be paid the Sum of £117. 10s. 4d. in full for his Account for Medicines delivered in Dozes to the Regiment, by the Publick.

Reſolved, That the Reſidue of the ſaid Account, being £58. 15s. 2d. Halfpeny, be rejected.

Reſolved, That the Article in the ſaid Account of £125. 15s. 2d. for the Medicine Cheſt furniſhed the Regiment, be rejected.

The *five* firſt Reſolutions being read a ſecond Time, were agreed to by the Houſe.

The *laſt* Reſolution being alſo read, the Houſe diſagreed to it.

On a *Motion* made,

Ordered, That the ſaid Reſolution be recommitted to the ſaid Committee.

A *Meſſage* from the Governour was delivered by Mr *Walthoe*.

That they have agreed to the Reſolve *to allow* Larkin Chew £100, *and* £40 *a Year during his life.*

Alſo to the Reſolve for allowing William Bronaugh *one Year's Pay as Captain in the* Virginia *Regiment in the Year* 1757 *and for his Sufferings during the Campaign at the Reduction of Fort* DuQueſne, *when he ſerved as a Volunteer at his own Expenſe.*

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill For further continuing and amending the Act, entitled, *An Act*[1] *for the better regulating and collecting certain Officers Fees, and for other Purpoſes therein mentioned.*

Reſolved, That the Houſe will reſolve itſelf into a Committee on the ſaid Bill Tomorrow.

The Houſe proceeded to take into Conſideration the Amendments propoſed by the Council to the Bill, entitled, *An Act*[2] *for the more effectual keeping the publick Roads and Bridges in Repair;* and the ſame being read, the firſt was agreed to by the Houſe, and the laſt diſagreed to.

Ordered, That Mr *Bland* do go up with a Meſſage to the Council and acquaint them 90
therewith, and deſire they will paſs the Bill with the Amendment as agreed to by the Houſe.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Friday.

[1] Hening, V, p. 326. [2] *Ibid.*, VII, p. 577.

Friday, the 10th of December. 3 Geo. III. 1762.

MR *Pendleton*, from the Committee appointed to examine the Treaſurer's Accounts reported that the ſaid Committee had had the ſame under their Conſideration and examined all the ſeveral Articles and Vouchers thereof, and had agreed upon a Report, and come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

It appears that the ſaid *Accounts* are truly ſtated, and that there remains a Balance in the Hands of the Treaſurer of £5666. 15s. 8d. on the publick Account.

That there remains in the *Treaſurer's* Hands a Balance of £25,574. 13s. 1d. for the Duty on Tobacco, for the Land and Poll tax, and for the additional Duty on Slaves.

That burned *Tobacco* Notes not yet taken in amount to £876.

That there remains in the *Treaſurer's* Hands £80. 3s. 1d. of the Money reſerved for the Redemption of the old Notes bearing Intereſt, ſo many of the ſaid Notes remaining ſtill out.

That there ſtill remains in the *Treaſurer's* Hands £2500, the Balance due to the Commiſſioners for the *Indian* Trade.

That there remains in the *Treaſurer's* Hands £10,341.10s. 1d. for Bills of Exchange drawn on the Agents, purſuant to Acts of Aſſembly.

That there alſo remains in the *Treaſurer's* Hands a Balance of £2200. 6s. 6d. for the Treaſury Notes emitted in *April* 1762.

Reſolved, That the ſaid Accounts do paſs.

Ordered, That Mr *Edmund Pendleton* do carry up the Treaſurer's Accounts to the Council for their Concurrence.

Mr *Bland*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill For the better and more regular collecting his Majeſty's Quitrents, and the publick Taxes; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Benjamin Harriſon*, from the Committee of Trade, preſented to the Houſe, according to Order, a Bill To amend the ſeveral Acts of Aſſembly of this Colony for licenſing Pedlars, and preventing Frauds in the Duties on Skins and Furs; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* of the Miniſter, Churchwardens and Veſtry, of the Pariſh of *St. Andrew*, in the County of *Brunſwick*, ſetting forth that the Glebe of the ſaid Pariſh is very inconveniently ſituated, the Land poor, and the Buildings thereon in a ruinous Condition; and praying that an Act may paſs to empower them to ſell the ſaid Glebe, and to apply the Money ariſing from the Sale thereof towards purchaſing a more convenient Glebe for the ſaid Pariſh.

Ordered, That a Bill be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Bland* and the Members of the County to prepare and bring in the ſame.

91 On a *Motion* made,

Ordered, That it be an Inſtruction to the ſaid Committee to receive a Clauſe or Clauſes to enable the Veſtry of the Pariſh of *Frederick*, in the County of *Frederick*, to ſell their preſent Glebe, and to purchaſe a more convenient One in Lieu thereof.

A *Petition* of *Betty Todd*, in Oppoſition to a Petition preſented to the Houſe for building a Town at *Todd's* Warehouſe, in the County of *King* and *Queen*, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances: that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Bill* To revive and amend an Act, entitled, *An Act*[1] *for inſpecting Pork, Beef, Flower, Tar, Pitch* and *Turpentine*, was read the ſecond Time, and committed to the Committee of Trade.

Mr *Cary*, from the Committee of Claims, reported that the ſaid Committee had had under their further Conſideration a Reſolution of this Committee on a Claim of Doctor *Hugh Mercer*, to them recommitted; and had agreed upon a Report, and come to a Reſolution thereon; which he read in his Place, and then delivered in at the Table, where the ſame was again read, and agreed to, with an Amendment, as follows:

It appeared to your *Committee* that the Amount of Medicines delivered in Doſes by the ſaid *Mercer* to the Hoſpitals of the Regiment, from the 5th of *September* laſt to the 5th of *October* following, amounted to £78. 15s. 9d.

Reſolved, That the ſaid *Hugh Mercer* ought to be paid the Sum of £125. 15s. 2d. the Amount of the Medicine Cheſt delivered by him for the Uſe of the Regiment.

A *Bill* To dock the Entail of certain Lands whereof *Ralph Wormeley*, Eſq; is ſeized and for ſettling other Lands of greater Value to the ſame Uſes, was read the ſecond Time, and committed to Mr *Edmund Pendleton*, Mr *Smith*, and the Members of *Glouceſter*, *King William* and *Hanover*.

Mr *Edmund Pendleton*, from the Perſons to whom the Petition of *James Cocke*, Clerk of the Treaſury, was referred, reported that they had examined into the Allegations thereof, and agreed upon a Report, and come to a Reſolution thereupon; which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe, as follows:

It appears, on *Examination* of the Treaſurer's Accounts, that the Buſineſs of that Office is greatly increaſed, ſo as to require the conſtant Attendance of the Petitioner; and that he has diſcharged his Duty in the ſaid Office with great Care, Punctuality and Fidelity.

Reſolved, That the ſaid Petition is reaſonable, and that the Petitioner ought to be allowed the additional Salary of £50 a Year.

A *Bill* To dock the Entail of certain Lands whereof *Henry Scarburgh* is ſeized in Fee Taille, and for other Purpoſes therein mentioned, was read the ſecond Time, and committed to the Members of *Accomack* and *Northampton*.

A *Bill* For diſpoſing of the publick Stores of Gunpowder in the Magazine in the City of *Williamſburg*, was read the ſecond Time, and committed to the Committee of Propoſitions and Grievances.

Mr *Richard Henry Lee*, from the Committee to whom the Bill For eſtabliſhing the Town of *Romney*, in the County of *Hampſhire*, was referred, reported that the ſaid Committee had had the ſaid Bill under their Conſideration, and had made ſeveral Amendments thereto; which he read in his Place, and then delivered the Bill with the Amend- 92
ments in at the Table, where the Amendments were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill, with the Amendments, be engroſſed, and read a third Time.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that the ſaid Committee had had under their Conſideration divers Propoſitions and Petitions to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That the Petition of *Peter Jones*, praying that 28 Acres of his Land, adjoining the Town of *Peterſburg*, which he has laid off into Lots and Streets, may be added to and made Part of the ſaid Town, is reaſonable.

Reſolved, That the Petition of the Clerk, Sheriff, Surveyor and Gaoler, of the County of *Cumberland*, praying that the Deduction from their Tobacco Fees in the ſaid County, for making the ſame convenient, may be leſſened, be rejected.

Reſolved, That the Petition of ſundry Inhabitants of the County of *Albemarle*, praying that they may be permitted to build a Bridge over the north Branch of *James* River, in the ſaid County, and that the Perſon who ſhall undertake to build the ſame, may, after

[1] Hening, VI, p. 146.

after it is finiſhed, demand and take a reaſonable Toll from Travellers paſſing over the ſame, is reaſonable.

Reſolved, That the ſeveral Petitions of ſundry Inhabitants of the Counties of *Goochland* and *Amelia*, praying that the Inſpection of Tobacco may begin on the 1ſt Day of *October* yearly, inſtead of the 20th, as is now by Law directed, and that it may end ſooner, is reaſonable.

Reſolved, That the Inſpection of Tobacco ought to end the 10th Day of *Auguſt*.

Reſolved, That the Petition of *Charles Binns*, Clerk of *Loudoun* County praying that the Deduction from the Tobacco Fees of his Office, for making the ſame convenient, may be leſſened, be rejected.

Ordered, That a Bill or Bills be brought in purſuant to the 1ſt and 3d Reſolutions, and it is referred to the Committee of Propoſitions and Grievances to prepare and bring in the ſame.

Ordered, That it be an Inſtruction to the Committee who are to prepare and bring in a Bill For further amending and continuing the Act for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms, that they receive a Clauſe or Clauſes purſuant to the 4th and 5th Reſolutions.

The Houſe, according to Order, reſolved itſelf into a Committee on the Bill For Relief of inſolvent Debtors, for the effectual Diſcovery and more equal Diſtribution of their Eſtates and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the ſaid Committee had had the ſaid Bill under their Conſideration, and gone through the ſame, and had made ſeveral Amendments thereto; which he read in his Place, and then delivered in at the Table, where the ſaid Amendments were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill, with the Amendments, be engroſſed, and read a third Time.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill For further continuing and amending the Act, entitled, *An Act*[1] *for the better regulating and collecting certain Officers Fees, and for other Purpoſes therein mentioned.*

Reſolved, That the Houſe will reſolve itſelf into a Committee on the ſaid Bill Tomorrow.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

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Saturday the 11th of December. 3 Geo. III. 1762.

MR *Richard Henry Lee*, from the Perſons appointed, preſented to the Houſe, according to Order, a Bill To confirm and eſtabliſh an Agreement made between *James Scott* the elder, Clerk, and *James Scott* the younger, his Son; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

On a *Motion* made,

The ſame was read the ſecond Time, and committed to Mr *Richard Henry Lee*, and the Members of the Counties of *Prince William*, *Loudoun*, *Fairfax* and *Fauquier*.

Ordered, That Colonel *Stephen's* Letter, which was ſent down from the Governour to this Houſe on *Tueſday* laſt, and ordered to lie on the Table, be referred to the Conſideration of the Committee of Claims.

A *Bill* To amend the Act for encouraging Arts and Manufactures was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read the third Time.

A *Bill* For altering the Court Day of the County of *Prince Edward* was read the ſecond Time, and committed to the Committee of Propoſitions and Grievances.

A *Bill* To empower *George Parker* to make one Payment of £600 to the Churchwardens of the Lower Pariſh of *Nanſemond*, in Lieu of a perpetual Annuity of £32, and for

[1] Hening V, p. 326.

for other Purpoſes therein mentioned, was read the ſecond Time, and committed to the Members of *Nanſemond*, *Accomack* and *Northampton*.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly, and it is referred to Mr *Richard Henry Lee* to prepare and bring in the ſame.

Mr *Pendleton*, from the Perſons to whom theBill To dock the Entail of certain Lands whereof *Ralph Wormeley*, Eſq; is ſeized, and for ſettling other Lands of greater Value to, the ſame Uſes, was referred, reported that the ſaid Committee had had the ſaid Bill under their Conſideration, and gone through the ſame, and had made ſeveral Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the ſaid Amendments were again twice read, and agreed to by the Houſe.

Ordered, That the Bill with the Amendments be engroſſed, and read a third Time.

Mr *Cary*, from the Committee of Publick Claims, reported that the Committee had examined and conſidered all the publick Claims which had been laid before them this Seſſion, and had agreed upon a Report, which he had entered in a Book; and he delivered the Book in at the Table.

Ordered, That the ſaid Report do lie on the Table.

Ordered, That Mr *Marſhal* have Leave to be abſent from the Buſineſs of this Houſe the Remainder of this Seſſion.

Mr *Pendleton*, from the Committee to whom the Bill To dock the Entail of certain Lands whereof *Henry Scarburgh* is ſeized in Fee Taille, and for other Purpoſes therein mentioned, was committed, reported that they had examined into the Allegations thereof 94
and found them to be true, but had made no Amendments thereto.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Bill, *entitled*, An Act[1] for directing and better regulating the Election of Burgeſſes, for ſettling their Privileges, and for aſcertaining their Allowances.

Alſo to a Reſolve *for allowing* Andrew Lewis *the Sum of £350*

And that they have receded from their Amendment diſagreed to by this Houſe to the Bill, *entitled*, An Act[2] for the more effectual keeping the publick Roads and Bridges in, Repair.

A *Bill* For eſtabliſhing Pilots, and regulating their Fees, was read a ſecond Time and committed to the Committee of Trade.

Ordered, That Mr *Wythe* and Mr *Richard Henry Lee* be added to the Committee of Trade.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Reſolves:

For allowing the Honourable William Byrd, *Eſq; the Sum of £500, for the Purpoſes therein mentioned.*

For allowing Mr George Mercer *the Sum of £500, for his Services therein mentioned.*

For allowing the ſeveral Officers of the Virginia *Regiment ſix Months Pay, for their Services to their Country.*

And to another, for granting the ſaid Officers the ſeveral Sums tnerein mentioned.

A *Bill* To amend an Act, entitled, *An Act*[3] *for regulating Ordinaries, and Reſtraint of Tippling Houſes*, was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

Mr

[1] Hening, VII. p. 517. [2] *Ibid.*, VII, p. 577. [3] *Ibid.*, VI, p. 71.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, preſented to the Houſe, according to Order, a Bill For further amending and continuing the Act for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms.

Alſo a *Bill* For building a Bridge over the north Branch of *James* River, in the County of *Albemarle*.

And a *Bill* For eſtabliſhing the Town of *Charlotteſville*, in the County of *Albemarle;* and the ſame were ſeverally read the firſt Time, and ordered to be read a ſecond Time.

The Houſe, according to Order, reſolved itſelf into a Committee on the Bill For further continuing and amending the Act entitled, *An Act*[1] *for the better regulating and collecting certain Officers Fees, and for other Purpoſes therein mentioned;* and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had had the ſaid Bill under their Conſideration, but not having Time to go through the ſame they had directed him to move for Leave to ſit again.

Reſolved, That this Houſe will again reſolve itſelf into the ſaid Committee on *Monday* next.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, to whom the Bill For diſpoſing of the publick Stores of Gunpowder in the Magazine, in the City of *Williamſburg*, was committed, reported that the Committee had had the ſaid Bill under their Conſideration, and had made an Amendment thereto; which he read in his Place, and then delivered the Bill with the Amendment in at the Table, where it was again twice read, and agreed to by the Houſe.

95 *Ordered*, That the ſaid Bill with the Amendment be engroſſed, and read a third Time.

A *Petition* of *James Hubard* and *Frances* his Wife, ſetting forth that the Petitioner *Frances* is ſeized in Fee Taille of and in a Tract of Land in the Pariſh of *Brunſwick*, in the County of *King George*, containing 840 Acres, or thereabouts, under the Will of *William Colſton*, her late Grandfather; and that the Petitioner *James* is ſeized in Fee Simple of and in ſeveral Half Acre Lots of Land in the City of *Williamſburg*, with valuable Buildings, and other Improvements thereon; and that it would be greatly to the Advantage as well of themſelves, as of thoſe who may claim in Remainder of Reverſion under the ſaid *Willaim Colſton's* Will, if the Entail of the ſaid Lands in *King George* were docked, and the ſaid Lots in the City of *Williamſburg* were ſettled to the ſame Uſes; and praying that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Ordered, That a Bill or Bills be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Pendleton* to prepare and bring in the ſame.

And then the Houſe adjourned until Monday Morning 11 o'Clock.

Monday, the 13th of December, 3 Geo. III. 1762.

AN engroſſed *Bill*, entitled, *An Act*[2] *to dock the Entail of certain Lands whereof* Ralph Wormeley, *Eſq*; *is ſeized, and for ſettling other Lands of greater Value to the ſame Uſes*, was read a third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Pendleton* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[3] *to amend an Act, entitled, An Act for regulating Ordinaries, and Reſtraint of Tippling Houſes*, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[4] *for diſpoſing of the publick Stores of Gunpowder in the Magazine, in the City of* Williamſburg, was read the third Time.

Reſolved

[1] Hening, VI, p. 326. [2] *Ibid.*, VII, p. 628. [3] *Ibid.*, VII, p. 595. [4] *Ibid.*, VII, p. 594.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled *An Act*[1] *to amend the Act for encouraging Arts and Manufactures*, was read a third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Wythe* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[2] *for Relief of inſolvent Debtors, for the effectual Diſcovery and more equal Diſtribution of their Eſtates*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Richard Henry Lee* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[3] *for eſtabliſhing the Town of* Romney, *in the County of* Hampſhire, *and for other Purpoſes therein mentioned*, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *George Mercer* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[4] *to dock the Entail of certain Lands whereof* Henry Scarburgh *is ſeized in Fee Simple, and for other Purpoſes therein mentioned*, was read the third Time. 96

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Parramore* do carry up the ſaid Bill to the Council for their Concurrence.

Mr *Bland*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill To empower the reſpective Veſtries of the Pariſhes of *St. Andrew*, in the County of *Brunſwick*, and *Frederick*, in the County of *Frederick*, to ſell their Glebe Lands; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

A *Bill* For further amending and further continuing the Act for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms, was read a ſecond Time, and committed to a Committee of the whole Houſe Tomorrow.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, preſented to the Houſe, according to Order, a Bill For eſtabliſhing ſeveral new Ferries.

Alſo a *Bill* To relieve ſundry Perſons whoſe Lands have been injured by cutting down their Timber to build Fort *Loudoun*.

Alſo a *Bill* For enlarging the Town of *Peterſburg*, and for other Purpoſes therein mentioned; and the ſaid Bills were ſeverally read the firſt Time, and ordered to be read a ſecond Time.

Mr *Attorney* alſo reported, from the ſaid Committee, to whom the Bill For altering the Court Days of the Counties of *Prince Edward* and *Lunenburg* was committed, that the ſaid Committee had made ſeveral Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

Mr *Attorney* alſo reported that the Committee had had under their Conſideration divers Propoſitions and Petitions from ſeveral Counties to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again read, and are as follow:

Reſolved, That the Petition of ſundry Inhabitants of the County of *King* and *Queen*, praying that a Town may be eſtabliſhed on the Lands of *William Todd*, at or near *Todd's* Warehouſes, on *Mattapony* River, be rejected.

Reſolved, That the Petition of *Betty Todd* and *William Todd*, in Oppoſition thereto, is reaſonable.

Reſolved

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[1] Hening, VII, p. 563. [2] *Ibid.*, VII, p. 549. [3] *Ibid.*, VII, p. 598. [4] *Ibid.*, VII, p. 634.

Reſolved, That the Petition of *William Fraſer*, praying that he may be allowed to keep up a Cauſeway that he has raiſed through the Marſh oppoſite to his Lands where a publick Ferry is eſtabliſhed over *Mattapony* River, at his own Expenſe, and that the ſaid Cauſeway may be eſtabliſhed the publick Landing Place over the ſaid Ferry, ought to be referred to the Conſideration of the next Seſſion of Aſſembly.

97 The *firſt* and *ſecond* Reſolutions being read a ſecond Time were diſagreed to by the Houſe.

Ordered, That a Bill or Bills be brought in purſuant to the ſaid Reſolutions, and it is referred to the Committee of Propoſitions and Grievances to prepare and bring in the ſame.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Treaſurer's Accounts.

Alſo to the Bill, *entitled*, An Act[1] to dock the Entail of certain Lands whereof *Ralph Wormeley*, Eſq; is ſeized, and for ſettling other Lands of greater Value to the ſame Uſes.

Alſo to the Bill, *entitled*, An Act[2] to amend an Act, entitled, An Act for regulating Ordinaries, and Reſtraint of Tippling Houſes, *without any Amendments.*

Alſo to the Bill, *entitled*, An Act[3] for diſpoſing of the publick Stores of Gunpowder in the Magazine in the City of *Williamſburg, with an Amendment, to which they deſire the Concurrence of this Houſe.*

The Houſe immediately proceeded to the Conſideration of the Amendment propoſed by the Council to the ſaid Bill, and the ſame being read was agreed to.

Ordered, That Mr *Attorney* do go up with a Meſſage to the Council, and acquaint them that this Houſe have agreed to the Amendment by them propoſed to the ſaid Bill.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that the ſaid Committee had had under their Conſideration divers Propoſitions and Petitions from the County of *Elizabeth City* to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That the Petition of ſundry Inhabitants of the Pariſh of *Elizabeth City*, in the ſaid County, complaining of illegal Proceedings of the Veſtry of the ſaid Pariſh, and praying that the ſaid Veſtry may be diſſolved, be rejected.

Reſolved, That the Petition of ſundry other Inhabitants of the ſaid County, praying that they may be empowered to build a bridge over *Back* River, in the ſaid County.

Alſo a *Petition* of ſundry other Inhabitants of the ſaid County, in Oppoſition thereto, ought to be referred to the Conſideration of the next Seſſion of Aſſembly.

A *Petition* of *Mann Page*, Eſq; ſetting forth that the Place where the Warehouſes called *Page's*, on *Pamunkey* River, in the County of *Hanover*, ſtands, is become a Place of conſiderable Trade and Commerce, and which would be much enlarged if a Town was eſtabliſhed there; that he has laid off 100 Acres of his Land there into Lots and Streets for a Town; and praying that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Ordered, That a Bill be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Pendleton* to prepare and bring in the ſame.

Mr *Henry Lee* preſented to the Houſe, according to Order, a Bill For paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

The *Order* of the Day being read, the Houſe again reſolved itſelf into a Committee on the Bill For the better and more regular collecting the publick Fees; and after ſome
98 Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had had the ſaid Bill under their further Conſideration, and made ſeveral Amendments thereto, which they had directed him to report to the Houſe; and he read the ſaid Amendments in his Place, and then delivered them in at the Table, where they were again twice read, and agreed to by the Houſe.

Ordered

[1] Hening, VII, p. 628. [2] *Ibid.*, VII, p. 595. [3] *Ibid.*, VII, p. 594.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read the third Time.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Tuesday, the 14th of December. 3 Geo. III. 1762.

MR *Richard Henry Lee*, from the Committee to whom the Bill To confirm and eſtabliſh an Agreement made between *James Scott* the elder, Clerk, and *James Scott* the younger, his Son, was committed, reported that the Committee had examined into the Allegations of the ſaid Bill, and found them to be true, but had made no Amendments thereto; and he delivered the Bill in at the Table.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To amend the Act for the better Government of Servants and Slaves, and it is referred to Mr *Cary* to prepare and bring in the ſame.

On a *Motion* made,

Ordered, That *Stephen Barron*, the Ferry Keeper at *Falmouth*, be allowed the Sum of £15 for ferrying the *Virginia* Regiment, with their Baggage, &c. over *Rappahannock* River on the 20th of *September* laſt, and alſo for Ferriage of Officers and Soldiers at divers other Times ſince, as their various Occaſions required, and for his Diligence therein.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill For amending and further continuing the Act for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms.

Ordered, That the ſeveral Petitions from ſundry Counties relative thereto, and ordered to lie on the Table, be referred to the Conſideration of the ſaid Committee.

And then the Houſe reſolved itſelf into a Committee on the ſaid Bill, and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had had the ſaid Bill under their further Conſideration, but not having Time to go through the ſame they had directed him to move for Leave to ſit again.

Reſolved, That this Houſe will again reſolve itſelf in to the ſaid Committee Tomorrow.

Mr *George Johnſon*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill To empower Tenants in Taille to make Leaſes for 3 lives, or 21 Years; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Edmund Pendleton*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill To veſt certain Lands therein mentioned in *James Hubard*, and ſettling other Lands and Slaves of greater Value in Lieu thereof; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Cary*, from the Committee appointed, preſented to the Houſe according to Order, a Bill To amend the Act for the better Government of Servants and Slaves; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Wednesday, the 15th of December. 3 Geo. III. 1762.

A New *Member* having taken the Oaths appointed to be taken by Act of Parliament, inſtead of the Oaths of Allegiance and Supremacy, and taken and ſubſcribed the Oath of Abjuration, and alſo ſubſcribed the Teſt, was admitted to his Place in the Houſe.

On a *Motion* made,

Reſolved

Reſolved, That the Sum of £450 Sterling be paid by the Treaſurer of this Colony, out of the publick Money in his Hands, to the Governours and Viſitors of *William* and *Mary* College, to be applied by them towards purchaſing a proper Apparatus for the Inſtruction of the Students of the ſaid College in Natural and Experimental Philoſophy.

Ordered, That the ſaid Reſolve be engroſſed, and that Mr *Bland* do carry it up to the Council for their Concurrence.

Mr *Cary*, from the Committee of Claims, reported that the Committee had had under their Conſideration a Letter from Colonel *Adam Stephen* to his Honour the Governour, laid before the Houſe, and referred to the ſaid Committee, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to, with an Amendment, as follow:

Reſolved, That *George Frazier* ought to be allowed 12d. per Ration for the Troops victualled by him to the 17th of *June* laſt, the Time *John Hawkins* iſſued Proviſions to the ſaid Troops under his Appointment as Commiſſary from his Honour the Governour.

Reſolved, That the Surgeon of the Regiment ought to be allowed a Month's Pay for attending the Soldiers now in the Hoſpital, and that the Commiſſary be allowed his Rations for the ſaid Soldiers.

Reſolved, That the Sergeant and private Men ſtationed at *Redſtone* ought to be allowed a Month's Pay, to enable them to march into the inhabited Parts of this Colony.

Mr *Wythe*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill For eſtabliſhing the Town of *Hanover*, in the County of *Hanover*, and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* of *Thomas Irwin*, ſetting forth that in the Year 1759 being appointed by Colonel Byrd, with the Approbation of General *Amherſt*, a Major of Brigade, he continued to act in that Capacity for the Years 1760 and 1761, when Colonel *Byrd* commanded on the Expedition againſt the *Cherokees:* That he was at conſiderable Expenſe in providing his Equipage, and of great Uſe in forming the raw undiſciplined Troops deſtined for that Service: That he alſo acted as Secretary to Colonel *Byrd*, and kept the contingent Charges for the Publick: That he paid him for one Year £100 Sterling, and offered to pay him for the Reſt; but he refuſedit, as the Petitioner was very certain Colonel *Byrd* had been at a much greater Expenſe than his Appointment would reimburſe: And praying the Conſideration of the Houſe therein, was preſented to the Houſe and read; and the Queſtion being that the ſaid Petition be referred to a Committee,

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

100 Mr *Benjamin Harriſon*, from the Committee of Trade, to whom the Bill For inſpecting Pork, Beef, Flower, Tar, Pitch and Turpentine, was committed, reported that the ſaid Committee had made ſeveral Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to by the Houſe, with an Amendment.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

A *Meſſage* from the Council was delivered by Mr *Walthoe*.

That they have agreed to the Bill, *entitled*, An Act[1] for encouraging Arts and Manufactures, *with an Amendment, to which they deſire the Concurrence of this Houſe.*

Alſo to the Bill, *entitled*, An Act[2] for Relief of inſolvent Debtors, for the effectual Diſcovery and more equal Diſtribution of their Eſtates, *without any Amendments.*

The *Order* of the Day being read, the Houſe again reſolved itſelf into a Committee on the Bill For amending and further continuing the Act for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had had the ſaid Bill under their further Conſideration, but not having Time to go through the ſame they had directed him to move for Leave to ſit again.

Reſolved

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[1] Hening, VII, p. 288. [2] *Ibid.*, VII, p. 549.

Reſolved, That this Houſe will again reſolve itſelf into a Committee on the ſaid Bill Tomorrow.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Thurſday, the 16th of December, 3 Geo. III. 1762.

MR *Benjamin Harriſon*, from the Committee of Trade, to whom the Bill For eſtabliſhing Pilots, and regulating their Fees, was committed, reported that the ſaid Committee had made ſeveral Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where they were again twice read, and agreed to with ſome Amendments.

Ordered, That the ſaid Bill, with the Amendments, as amended, be engroſſed, and read a third Time.

A *Bill* For eſtabliſhing the Town of *Charlotteſville*, in the County of *Albemarle*, was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Bill* For building a Bridge over the north Branch of *James* River, in the County of *Albemarle*, was read the ſecond Time, and committed to Mr *Thomas Walker*, Mr *Fry* and Mr *John Pendleton*.

A *Memorial* of the Officers who ſerved in the old *Virginia* Regiment, in Favour of *James Duncanſon*, ſetting forth that in the Year 1755 he entered a Volunteer in that Corps, where his good Behavior ſoon procured him a Pair of Colours, from which he was promoted to a Lieutenancy, and behaved himſelf in thoſe Appointments entirely to the Satiſfaction of his Superiours and the Corps to which he belonged; that he never ſignified any Intention of leaving the Service until the latter End of the Campaign 1758, when he was diſabled by a very dangerous Wound, occaſioned by a Muſket Ball paſſing through his Throat, which he received at the Head of a ſmall Detachment that was ordered from Fort *Ligonier*, when that Poſt was attacked by a formidable Body of the 101
Enemy, which occaſioned the loſs of his Voice for a Time, and rendered him incapable of ſerving any longer his King and Country as a Soldier; that in that Action he behaved with great Intrepidity and Conduct, and for the Space of 4 years he continued in the Regiment his well known Behaviour, his Services, and his Sufferings, ſufficiently recommended him to the Notice of the Publick; and praying ſuch Relief as this Houſe ſhall think fit, was preſented to the Houſe and read.

Ordered, That the ſaid Memorial be referred to Mr *George Mercer*, Mr *Richard Henry Lee* and Mr *Thomas Walker;* that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

On a *Motion* made,

Ordered, *nemine contradicente*, That it be an Inſtruction to the Committee who are appointed to prepare an Addreſs to his Majeſty, in Behalf of the Officers of the *Virginia* Regiment, that Mr *George Mercer* be joined in the ſaid Addreſs.

The *Order* of the Day being read, the Houſe again reſolved itſelf into a Committee on the Bill For amending and further continuing the Act for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had gone through the ſaid Bill, and made ſeveral Amendments thereto, but not having Time to prepare and draw up the ſame they had directed him to move for Leave to ſit again.

Reſolved, That this Houſe will again reſolve itſelf into a Committee on the ſaid Bill Tomorrow.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Friday

Friday, the 17th of December, 3 Geo. III. 1762.

MR *Attorney*, from the Committee of Propoſitions and Grievances, preſented to the Houſe, according to Order, a Bill For eſtabliſhing a Town on the Land of ———— at *Todd's* Warehouſes, in the County of *King* and *Queen;* and the ſame being read the firſt Time, and the Queſtion put that the ſaid Bill be read a ſecond Time,

It paſſed in the Negative.

Reſolved, That the ſaid Bill be rejected.

Mr *Attorney* alſo reported that the ſaid Committee had had under their Conſideration the Petition of *Matthew Watſon*, praying that the real Eſtate of one *John Dudgeon*, in the Hands of his Heir at Law, may be ſubjected to indemnify the Petitioner from ſeveral Judgments obtained againſt him as Security of the ſaid *John Dudgeon*, who died inſolvent, and had come to the following Reſolution thereon; which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe, as follows:

Reſolved, That the ſaid Petition be rejected.

A *Petition* of *Joſeph Royle* ſetting forth that his Salary as Printer to this Houſe will expire at the end of this Seſſion of Aſſembly, and praying that the ſame may be further continued, was preſented to the Houſe and read.

Reſolved, That the Sum of £350 per Annum be allowed to the ſaid *Joſeph Royle*, Printer, to continue to the End of the next Seſſion of Aſſembly, as a full Conſideration
102 for printing the Journals of the Houſe of Burgeſſes, printing the the Laws of each Seſſion, and ſending thirteen of them to every County Court Clerk, one of which to be half-bound for the Uſe of the Court, printing Inſpectors Notes and Books, Proclamations, and other publick Advertiſements.

Ordered, That the ſaid Reſolve be engroſſed, and that Mr *Attorney* do carry it up to the Council for their Concurrence.

The *Order* of the Day being read, the Houſe again reſolved itſelf into a Committee on the Bill For amending and further continuing the Act for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that they had made ſeveral Amendments to the ſaid Bill, which they had directed him to report to the Houſe; and he read the ſame in his Place, and then delivered them in at the Table, where they were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

Mr *Attorney* alſo, from the ſame Committee, reported that the ſaid Committee had had under their Conſideration the Petitions of ſundry Inſpectors to them referred, praying an additional Recompenſe for their paſt Services; and had come to a Reſolution thereon; which he read in his Place, and then delivered in at the Table, where the ſame were again read, and agreed to, with ſome Amendments, as follow:

Reſolved, That the Inſpectors at the following Warehouſes ſhall ſeverally be allowed, for each of the Years 1761 and 1762, after the following Rates: At *Littlepage's* £5, at *Frederickſburg* £10, at the *Brick Houſe* £5, at *Hunting Creek* £10, at *Robert Bolling's* Warehouſe £20, at *Oſborne's* £20, at *Byrd's* £10, at *Blandford* £15, at *Conſtance's* £10, at *Yeocomico* and *Ruffel's* £5, at *Matox* and *Machotax* £10, at *Page's* and *Crutchfield's* £10, at *Gray's Creek* £5, at *John Bolling's* £20, at *Wicomico* £5, at *Merewether's* £10, at *Warwick* £10, at *Acquia* £10, at *Falmouth* and *Dixon's* £5, and at *Quantico* £15, and that *Walter Scott*, Inſpector at *Rocky Ridge*, be allowed £15, and *Joſeph Stewart*, Inſpector at *Royſton's* £55, and *Michael Robinſon*, Inſpector at the ſame Place, £45, for their paſt Services.

Ordered, That it be an Inſtruction to the Committee of Claims to make the ſeveral Allowances in the Book of Claims, purſuant to the ſaid Reſolutions.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Bill *entitled*, An Act[1] for eſtabliſhing the Town of *Romney*, in the County of *Hampſhire*, and for other Purpoſes therein mentioned.

Alſo to the Reſolve *For paying to the Governours and Viſitors of* William *and* Mary *College the Sum of £450 Sterling, for the Uſes therein mentioned.*

An engroſſed *Bill*, entitled, An Act[2] for Inſpecting Pork, Beef, Flower, Tar, Pitch and Turpentine, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Harriſon* do carry up the ſaid Bill to the Council for their Concurrence.

Mr *Walker*, from the Committee to whom the Bill For building a Bridge over the north Branch of *James* River, in the County of *Albemarle*, was committed, reported that the ſaid Committee had made ſeveral Amendments to the ſaid Bill; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where they were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third 103
Time.

Mr *Mercer*, from the Committee to whom the Memorial of *James Duncanſon* was referred, reported that the ſaid Committee had had the ſame under their Conſideration, and had agreed upon a Report, and come to a Reſolution thereon; which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to, with an Amendment, as follows:

It appears to your *Committee* that the Allegations of the ſaid Memorial are true.

Reſolved, That the ſaid *James Duncanſon* ought to be allowed £40 a Year during his Life.

Ordered, That the ſaid Reſolve be engroſſed, and that Mr *George Mercer* do carry it up to the Council for their Concurrence.

Mr *Cary*, from the Committee of Claims, reported that the ſaid Committee had had under their Conſideration ſeveral Claims to them referred, for the Pay and Expenſes of the Militia of different Counties, for Proviſions for the *Indians* that came to the Aſſiſtance of this Colony, and for Damages done the Inhabitants thereof by the ſaid *Indians*, and had agreed to a Report, and drawn up and ſtated an Account and Schedule thereof; which he read in his Place, and then delivered in at the Table, where the ſame was again read, and agreed to, with an Amendment.

Ordered, That Mr *Cary* do carry the ſame to the Council for their Concurrence.

The Houſe proceeded to the Conſideration of the Amendment propoſed by the Council to the Bill, entitled, *An Act*[3] *to amend the Act for encouraging Arts and Manufactures;* and the ſame being twice read, was agreed to.

Ordered, That Mr *Wythe* do go up with a Meſſage to the Council, and acquaint them that this Houſe have agreed to the Amendment by them propoſed to the ſaid Bill.

A *Bill* To veſt certain Lands therein mentioned in *James Hubard*, and ſettling other Lands and Slaves of greater Value in Lieu thereof, was read the ſecond Time, and committed to Mr *Wythe*, and the Members of *King George*, *York* and *James City*.

An engroſſed *Bill*, entitled, *An Act*[4] *to amend the Act, entitled, An Act to oblige the Owners of Mills, Hedges, or Stone Stops, on ſundry Rivers therein mentioned, to make Openings or Slopes therein for the Paſſage of Fiſh, and for other Purpoſes therein mentioned*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry it up to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[5] *for further continuing and amending the Act, entitled, An Act for the better regulating and collecting certain Officers Fees, and for other Purpoſes*

[1] Hening, VII, p. 598.
[2] *Ibid.*, VII, p. 570.
[3] *Ibid.*, VII, p. 563.
[4] *Ibid.*, VII, p. 590
[5] *Ibid.*, VII, p. 645.

Purpoſes therein mentioned, was read the third Time, and the Blanks therein filled up; and the Queſtion put that the ſaid Bill do paſs,

It paſſed in the Negative.

Reſolved, That the ſaid Bill be rejected.

Ordered, That the Chaplain attend to read Prayers every Morning at Nine o'Clock.

And then the Houſe adjourned until Tomorrow Morning 11 *o'Clock.*

104

Saturday, the 18th of December, 3 Geo. III. 1762.

AN engroſſed *Bill*, entitled, *An Act*[1] *for eſtabliſhing Pilots, and regulating their Fees*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Bradley* do carry the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[2] *for amending and further continuing the Act for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[3] *for eſtabliſhing the Town of* Charlotteſville, *in the County of* Albemarle, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Thomas Walker* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[4] *for altering the Court Days of the Counties of* Prince Edward *and* Lunenburg, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Read* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[5] *to confirm and eſtabliſh an Agreement made between* James Scott *the elder, and* James Scott *the younger, his Son*, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Richard Henry Lee* do carry up the ſaid Bill to the Council for their Concurrence.

A *Bill* For regulating the Gold Coin of the *German* Empire was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Bill* For enlarging the Town of *Peterſburg*, and for other Purpoſes therein mentioned, was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed and read a third Time.

An engroſſed *Bill*, entitled, *An Act*[6] *for building a Bridge over the north Branch of* James *River, in the County of* Albemarle, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Thomas Walker* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[7] *for regulating the Gold Coin of the* German *Empire*, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry the ſaid Bill to the Council for their Concurrence.

Ordered, That Mr *Walker* have Leave to be abſent the Remainder of this Seſſion.

A

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[1] Hening, VII, p. 580.
[2] *Ibid.*, VII, p. 580.
[3] *Ibid.*, VII, p. 597.
[4] *Ibid.*, VII, p. 622.
[5] *Ibid.*, VII, p. 630.
[6] *Ibid.*, VII, p. 622.
[7] *Ibid.*, VII, p. 575.

A *Bill* For the better and more regularly collecting his Majeſty's Quitrents, and the publick Taxes, was read the ſecond Time, and committed to a Committee of the whole Houſe on *Monday* next. 105

A *Bill* For adding the Pariſh of *Cameron* to the Pariſh of *Truro* was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Bill* For eſtabliſhing ſeveral new Ferries was read the ſecond Time, and committed to Mr *Legrand*, Mr *Read* and Mr *Mercer*.

An engroſſed *Bill*, entitled, *An Act*[1] *for adding Part of the Pariſh of* Cameron *to the Pariſh of* Truro, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *George Johnſon* do carry up the ſaid Bill to the Council for their Concurrence.

The Houſe proceeded to the Conſideration of the Book of Claims, preſented to the Houſe on *Saturday* laſt, and ordered to lie on the Table; and the ſame was read, and agreed to by the Houſe.

Ordered, That Mr Cary do carry up the ſaid Book of Claims to the Council for their Concurrence.

Mr *Wythe* reported that the Committee to whom the Bill To veſt certain Lands therein mentioned in *James Hubard*, and ſettling other Lands and Slaves of greater Value in Lieu thereof, was committed, had examined into the Allegations thereof, and found them to be true, and had made ſeveral Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

A *Meſſage* from the Council was delivered by Mr *Walthoe*.

That they have agreed to the Bill, *entitled*, An Act[2] for eſtabliſhing Pilots, and regulating their Fees.

Alſo to the Bill, *entitled*, An Act[3] for regulating the Gold Coin of the *German* Empire.

Alſo to the Bill, *entitled*, An Act[4] to amend the Act, entitled, An Act to oblige the Owners of Mills, Hedges, or Stone Stops, on ſundry Rivers therein mentioned, to make Openings or Slopes therein for the Paſſage of Fiſh, and for other Purpoſes therein mentioned.

Alſo to the Bill, *entitled*, An Act[5] for eſtabliſhing the Town of *Charlotteſville*, in the County of *Albemarle*.

Alſo to the Bill, *entitled*, An Act[6] for alteringthe Court Days of the Counties of *Prince Edward* and *Lunenburg*.

Alſo to the Bill, *entitled*, An Act[7] for inſpecting Pork, Beef, Flower, Tar, Pitch and Turpentine, *with an Amendment, to which they deſire the Concurrence of this Houſe.*

The Houſe immediately proceeded to the Conſideration of the ſaid Amendment; and the ſame being twice read, was diſagreed to.

Ordered, That Mr *Bradley* do go up with a Meſſage to the Council, and acquaint them that this Houſe have diſagreed to their Amendment.

Ordered, That a Committee be appointed to examine the enrolled Bills of the following Perſons, *viz.* Mr *Fleming*, Mr *Henry Lee*, Mr *William Cabbel*, Mr *James Mercer*, Mr *John Pendleton* and Mr *Bland* the younger.

A *Bill* To empower the Veſtry of the Pariſh of *Bruton* to ſell certain Lots in the City of *Williamſburg*, for the Purpoſes therein mentioned, was read the ſecond Time. 106

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Bill* For eſtabliſhing the Town of *Hanover*, in the County of *Hanover*, was read the ſecond Time.

Ordered

[1] Hening, VII, p. 612.
[2] *Ibid.*, VII p. 580.
[3] *Ibid.*, VII, p. 575.
[4] *Ibid.*, VII, p. 590.
[5] *Ibid.*, VII, p. 597.
[6] *Ibid.*, VII, p. 622.
[7] *Ibid.*, VII, p. 570.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Bill* For eſtabliſhing quarterly Courts in the ſeveral Counties of this Colony was read the ſecond Time, and committed to a Committee of the whole Houſe on *Monday* next.

An engroſſed *Bill*, entitled, *An Act*[1] *to empower the Veſtry of the Pariſh of* Bruton *to ſell certain Lots in the City of* Williamſburg, *for the Purpoſes therein mentioned*, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry the ſaid Bill to the Council for their Concurrence.

A *Bill* To amend the Act for the better Government of Servants and Slaves was read the ſecond Time, and committed to Mr *Cary* and Mr *Fleming*.

A *Bill* For amending and further continuing the Act for the better regulating and diſciplining the Militia was read the ſecond Time, and committed to the Committee of Propoſitions and Grievances.

A *Bill* For further continuing the Act for reducing the ſeveral Acts for making Proviſion againſt Invaſions and Inſurrections into one Act was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Bill* To amend the Act, entitled, *An Act*[2] *for preventing exceſſive and deceitful Gaming*, was read the ſecond Time, and committed to a Committee of the whole Houſe on *Friday* next.

A *Meſſage* from the Council was delivered by Mr *Walthoe*.

That they have agreed to the Book of Claims and Schedule; *and that they inſiſt on their Amendment made to the* Bill, *entitled* An Act[3] for inſpecting Pork, Beef, Flower, Tar, Pitch and Turpentine.

That they have agreed to the Bill, *entitled*, An Act[4] for amending and further continuing the Act for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms, *with an Amendment, to which they deſire the Concurrence of this Houſe.*

Alſo to the Bill, *entitled*, An Act[5] for adding Part of the Pariſh of *Cameron* to the Pariſh of *Truro*.

Alſo to the Bill, *entitled*, An Act[6] to empower the Veſtry of the Pariſh of *Bruton* to ſell certain Lots in the City of *Williamſburg*, for the Purpoſes therein mentioned.

Alſo to the Bill, *entitled*, An Act[7] for building a Bridge over the north Branch of *James* River, in the County of *Albemarle*, *without any Amendments*.

Ordered, That Mr *Cary* do wait on his Honour the Governour with the Book of Claims and Schedule, and deſire his Aſſent thereto.

Ordered, That Mr *Bradley* do go up to the Council, and acquaint them that this Houſe inſiſt on their Diſagreement to the Amendment by them made to the Bill For inſpecting Pork, Beef, Flower, Tar, Pitch and Turpentine, and that they deſire they will paſs the ſaid Bill without the Amendment.

The Houſe took into their Conſideration the Amendment propoſed by the Council
107 to the Bill For amending and further continuing the Act for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms; and the ſame being twice read, was agreed to by the Houſe.

Ordered, That Mr *Attorney* do go up to the Council, and acquaint them therewith.

Ordered, That a Committee be appointed to proportion the publick Levy, and that it conſiſt of the following Perſons, *viz.* Mr *Cary*, Mr *Thomas Walker*, Mr *Read*, Mr *Upſhaw*, Mr *Wager* and Mr *George Mercer*.

And then the Houſe adjourned until Monday Morning 10 o'Clock.

Monday

[1] Hening, VII, p. 607.
[2] *Ibid.*, VII, p. 214.
[3] *Ibid.*, VII, p. 570.
[4] *Ibid.*, VII, p. 530.
[5] *Ibid.*, VII, p. 612.
[6] *Ibid.*, VII, p. 607.
[7] *Ibid.*, VII, p. 622.

Monday, the 20th of December, 3 Geo. III. 1762.

AN engroſſed *Bill*, entitled, *An Act*[1] *to veſt certain Lands therein mentioned in* James Hubard, *and ſettling other Lands and Slaves of greater Value in Lieu thereof*, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Wythe* do carry up the ſaid Bill to the Council for their Concurrence.

Mr *Cary* reported that the Committee appointed had, according to Order, ſettled the Proportion of the Country Levy, and ſtated the ſame in a Book; which he delivered in at the Table, where it was read, and agreed to by the Houſe.

Ordered, That Mr *Cary* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[2] *for eſtabliſhing the Town of* Hanover, *in the County of* Hanover, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Wythe* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[3] *for further continuing the Act for reducing the ſeveral Acts for making Proviſion againſt Invaſions and Inſurrections into one Act*, was read the third Time, and the Blanks therein filled up.

Ordered, That Mr *Attorney* do carry up the ſaid Bill to the Council for their Concurrence.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, to whom the Bill For amending and further continuing the Act for the better regulating and diſciplining the Militia was committed, reported that the Committee had made ſeveral Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the ſaid Amendments were again twice read, and agreed to by the Houſe. 108

Ordered, That the Bill with the Amendments be engroſſed, and read a third Time.

An engroſſed *Bill*, entitled, *An Act*[4] *for enlarging the Town of* Peterſburg, *and for other Purpoſes therein mentioned*, was read a third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Fleming* do carry up the ſaid Bill to the Council for their Concurrence.

Mr *Legrand*, from the Committee to whom the Bill For eſtabliſhing ſeveral new Ferries was committed, reported that the ſaid Committee had made ſeveral Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where they were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

The *Order* of the Day being read, the Houſe reſolved itſelf into a Committee on the Bill For the better and more regular collecting the publick Taxes; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the ſaid Committee had had the ſaid Bill under their Conſideration, and made ſeveral Amendments thereto, which they had directed him to report to the Houſe; and he read the ſaid Amendments in his Place, and then delivered them in at the Table, where they were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

A *Meſſage* from the Council was delivered by Mr *Walthoe*.

That they have agreed to the Book of Proportions.

That they recede from the Amendment by them made to the Bill, *entitled*, An Act[5] for inſpecting Pork, Beef, Flower, Tar, Pitch and Turpentine, *which was diſagreed to by this Houſe, and have paſſed the Bill without.*

That

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[1] Hening, VII, p. 636.
[2] *Ibid.*, VII, p. 601.
[3] *Ibid.*, VII, p. 539.
[4] *Ibid.*, VII, p. 602.
[5] *Ibid.*, VII, p. 570.

That they have agreed to the Bill, *entitled*, An Act[1] oconfirm and eſtabliſh an Agreement made between *James Scott* the elder, Clerk, and *James Scott*, the younger, his Son.

Alſo to the Bill, *entitled*, An Act[2] for enlarging the Town of *Peterſburg*, and for other Purpoſes therein mentioned.

Alſo to the Bill, *entitled*, An Act[3] for further continuing the Act for reducing the everal Acts for making Proviſion againſt Invaſions and Inſurrections into one Act.

Alſo to the Bill, *entitled*, An Act[4] for eſtabliſhing the Town of *Hanover*, in the County of *Hanover*.

And that they have agreed to the Reſolve *of this Houſe for allowing* Joſeph Royle, *Printer, £350 for the Services therein mentioned.*

Alſo to the Reſolve *of this Houſe for granting to* James Duncanſon *£40 a Year during his Life, for his Services to his Country.*

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For raiſing a publick Levy, and it is referred to Mr *Cary* to prepare and bring in the ſame.

Mr *Cary* preſented to the Houſe, according to Order, a Bill For raiſing a publick Levy; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

The *Order* of the Day being read, the Houſe reſolved itſelf into a Committee on the Bill For eſtabliſhing quarterly Courts in the ſeveral Counties of this Colony; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that they had gone through the ſaid Bill, but had made no Amendments thereto; and the Queſtion being put that the ſaid Bill be engroſſed,

It paſſed in the Negative.

Reſolved, That the ſaid Bill be rejected.

Mr *Cary*, from the Committee to whom the Bill To amend the Act for the better Government of Servants and Slaves was committed, reported that the Committee had made ſeveral Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where they were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

109 On a *Motion* made,

Ordered, That Mr *Charles Carter*, Junior, be added to the Committee appointed to prepare an Addreſs to his Majeſty.

A *Bill* For paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly was read the ſecond Time, and committed to Mr *Cary* and Mr *Fleming*.

An engroſſed *Bill*, entitled, *An Act*[5] *for eſtabliſhing ſeveral new Ferries*, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry up the ſaid Bill to the Council for their Concurrence.

A *Bill* For raiſing a publick Levy was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Tuesday, the 21st of December, 3 Geo. III. 1762

ON a *Motion* made,

Reſolved, That the Committee of Correſpondence be directed to write to the Agent, and deſire that he will Uſe his Endeavours to obtain an Act of Parliament for importing Salt from *Europe* into this Colony.

Ordered, That the ſaid Reſolve be engroſſed, and that Mr *Benjamin Harriſon* do carry it up to the Council for their Concurrence.

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[1] Hening, VII, p. 630.
[2] *Ibid.*, VII, p. 602.
[3] *Ibid.*, VII, p. 539.
[4] *Ibid.*, VII, p. 601.
[5] *Ibid.*, VII, p. 588.

An engroſſed *Bill*, entitled, *An Act*[1] *to amend the Act for the better Government of Servants and Slaves*, was read the third Time, and the Blanks therein filled up; and the Queſtion being put that the ſaid Bill do paſs,

It paſſed in the Negative.

Reſolved, That the ſaid Bill be rejected.

An engroſſed *Bill*, entitled, *An Act*[2] *for amending and further continuing the Act for the better regulating and diſciplining the Militia*, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry the ſaid Bill to the Council for their Concurrence.

Mr *Cary*, from the Committee to whom the Bill For paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly, was committed, reported that the Committee had made ſeveral Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where they were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read the third Time.

An engroſſed *Bill*, entitled, *An Act*[3] *for raiſing a publick Levy*, was read the third Time and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Cary* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[4] *for the better and more regular collecting the publick Taxes*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Bland* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[5] *for paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly*, was read the third Time. 110

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Cary* do carry it up to the Council for their Concurrence.

Mr *Attorney* reported that the Committee appointed had, according to Order, prepared an Addreſs to his Majeſty, which he read in his Place, and then delivered in at the Table, where the ſame was again twice read, and agreed to.

Ordered, That the Committee of Correſpondence be directed to tranſmit it to the Agent, to be preſented to his Majeſty.

Mr *Attorney* alſo reported that the ſaid Committee had, according to Order, prepared an Addreſs to his Majeſty in Favour of the Officers of the *Virginia* Regiment; which he read in his Place, and then delivered in at the Table, where the ſame was again read, and agreed to, with ſome Amendments.

Ordered, That the Committee of Correſpondence be directed to tranſmit the ſaid Addreſs to the Agent, to be preſented to his Majeſty, together with a Liſt of the Names of the Officers.

A *Bill* To empower *Carter Henry Harriſon*, Gentleman, to build a Mill on *Willis's* Creek, in the County of *Cumberland*, was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Bill* To empower Tenants in Taille to make Leaſes for 3 Lives, or 21 Years, was read the ſecond Time, and committed to Mr *Benjamin Harriſon*, Mr *George* and *James Mercer*, Mr *Attorney*, Mr *Bland* and Mr *Wythe*.

A *Bill* To amend the ſeveral Acts of this Colony for licenſing Pedlars, and preventing Frauds in the Duties on Skins and Furs, was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Bill* to relieve ſundry Perſons whoſe Lands have been injured, by cutting down their Timber to build Fort *Loudoun*, was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

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[1] Failed to become a law.
[2] Hening, VII, p. 534.
[3] *Ibid.*, VII, p. 543.
[4] *Ibid.*, VII, p. 539.
[5] *Ibid.*, VII, p. 596.

A *Bill* To empower the reſpective Veſtries of the Pariſhes of *St. Andrew*, in the County of *Brunſwick*, and *Frederick*, in the County of *Frederick*, to ſell their Glebe Lands, was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Bill* To repeal an Act made in the 22d Year of his late Majeſty's Reign, entitled, *An Act*[1] *concerning Strays*, and to eſtabliſh more effectual Method to prevent frauds committed by perſons taking up ſtrays, was read a ſecond time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Bill* declaring Slaves to be perſonal Eſtate, and for other Purpoſes therein mentioned, was read the ſecond time.

Ordered, That the ſaid Bill be engroſſed, and read the third Time.

A *Meſſage* from the Council was delivered by Mr *Walthoe*.

That they have agreed to the Bill, *entitled*, An Act[2] to veſt certain Lands therein mentioned in *James Hubard*, and ſettling other Lands and Slaves of greater Value in Lieu thereof.

Alſo to the Bill, *entitled*, An Act[3] for eſtabliſhing ſeveral new Ferries.

Alſo to the Bill, *entitled*, An Act[4] for amending and further continuing the Act for the better regulating and diſciplining the Militia.

Alſo to the Bill, *entitled*, An Act[5] for the better and more regular collecting the publick Taxes, *with ſome Amendments*.

Alſo to the Bill, *entitled*, An Act[6] for the Payment of the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly.

111 *Alſo to the* Bill, *entitled*, An Act[7] for raiſing a publick Levy.

Alſo to the Bill, *entitled*, An Act[8] to dock the Entail of certain Lands whereof, *Henry Scarburgh* is ſeized in Fee Simple, and for other Purpoſes therein mentioned, *without any Amendments*.

And that they have agreed to the Reſolve of this Houſe *relative to the Importation of Salt from* Europe *into this Colony*.

The Houſe immediately proceeded to conſider the Amendments propoſed by the Council to the Bill, entitled, *An Act*[9] *to veſt certain Lands therein mentioned in* James Hubard, *and ſettling other Lands and Slaves of greater Value in Lieu thereof;* and the ſame being read, was agreed to.

Ordered, That Mr *Wythe* do go up to the Council, and acquaint them thereof.

The Houſe alſo conſidered the Amendments propoſed by the Council to the Bill, entitled, *An Act*[10] *for eſtabliſhing ſeveral new Ferries;* and the ſame being read, was agreed to.

Ordered, That Mr *Attorney* do go up to the Council, and acquaint them thereof.

The Houſe alſo conſidered the Amendment propoſed by the Council to the Bill, entitled, *An Act*[11] *for amending and further continuing the Act for the better regulating and diſciplining the Militia;* and the ſame being read, was agreed to, with Amendments.

Ordered, That Mr *Attorney* do go up with a Meſſage to the Council, and acquaint them that this Houſe have made ſome Amendments by them propoſed to the ſaid Bill, to which they deſire their Concurrence.

The Houſe alſo took into Conſideration the Amendments propoſed by the Council to the Bill, entitled, *An Act*[12] *for the better and more regular collecting the publick Taxes;* and the ſame being read, was agreed to.

Ordered, That Mr *Bland* do go up to the Council, and acquaint them thereof.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Wednesday

[1] Hening, VI, p. 133.
[2] *Ibid.*, VII, p. 636.
[3] *Ibid.*, VII, p. 588.
[4] *Ibid.*, VII, p. 534.
[5] *Ibid.*, VII, p. 539.
[6] *Ibid.*, VII, p. 596.
[7] *Ibid.*, VII, p. 543.
[8] *Ibid.*, VII, p. 634.
[9] *Ibid.*, VII, p. 636.
[10] *Ibid.*, VII, p. 588.
[11] *Ibid.*, VII, p. 534.
[12] *Ibid.*, VII, p. 539.

Wednesday, the 22nd of December. 3 Geo. III. 1762.

MR *Benjamin Harrifon*, from the Committee to whom the Bill To empower Tenants in Taille to make Leafes for 3 Lives, or 21 Years, was referred, reported that the faid Committee had made feveral Amendments to the faid Bill; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to; and the Queftion being put that the faid Bill, with the Amendments, be engroffed, and read a third Time,

It paffed in the Negative.

Refolved, That the faid Bill be rejected.

An engroffed *Bill*, entitled, *An Act*[1] *to repeal an Act made in the 22d Year of his late Majefty's Reign, entitled, An Act concerning Strays, and to eftablifh a more effectual Method to prevent Frauds committed by Perfons taking up Strays*, was read the third Time, and the Blanks therein filled up.

Refolved, That the Bill do pafs.

Ordered, That Mr *Attorney* do carry up the faid Bill to the Council for their Concurrence.

An engroffed *Bill*, entitled, *An Act*[2] *to empower* Carter Henry Harrifon, *Gentleman, to build a Mill on* Willis's *Creek, in the County of* Cumberland, was read the third Time, and the Blanks therein filled up.

Refolved, That the faid Bill do pafs. 112

Ordered, That Mr *Attorney* do carry the faid Bill to the Council for their Concurrence.

An engroffed *Bill*, entitled, *An Act*[3] *declaring Slaves to be perfonal Eftate, and for other Purpofes therein mentioned*, was read the third Time.

Refolved, That the faid Bill do pafs.

Ordered, That Mr *Attorney* do carry up the faid Bill to the Council for their Concurrence.

An engroffed *Bill*, entitled, *An Act*[4] *to amend the feveral Acts of Affembly of this Colony for licenfing Pedlars, and preventing Frauds in the Duties on Skins and Furs*, was read the third Time, and the Blanks therein filled up.

Refolved, That the faid Bill do pafs.

Ordered, That Mr *Benjamin Harrifon* do carry up the faid Bill to the Council for their Concurrence.

An engroffed *Bill*, entitled, *An Act*[5] *to relieve fundry Perfons whofe lands have been injured by cutting down their Timber to build Fort* Loudoun, was read a third Time, and the Blanks therein filled up.

Refolved, That the faid Bill do pafs.

Ordered, That Mr *George Mercer* do carry up the faid Bill to the Council for their Concurrence.

An engroffed *Bill*, entitled, *An Act*[6] *to empower the refpective Veftries of the Parifhes of* St. Andrew, *in the County* of Brunfwick, *and* Frederick, *in the County of* Frederick, *to fell their Glebe Lands*, was read the third Time.

Refolved, That the faid Bill do pafs.

Ordered, That Mr *Bland* do carry up the faid Bill to the Council for their Concurrence.

Mr *Speaker* informed the Houfe he had juft received a Letter from Colonel *Stephen*, returning Thanks, with the Officers of the late Regiment, for the Favours received from this Houfe; and he delivered it in at the Table, where it was read, and is as follows:

Sir,

Mr Rutherford *favoured me with the agreeable Information of the very handfome Manner in which the Affembly has been pleafed to acknowledge the Services of the late Regiment, and of the extreme genteel Gratuity voted to the Officers: This has impreffed their Hearts with indelible Marks of the moft genuine Gratitude, and they unite with me in begging you will*

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[1] Hening, VII. p. 545.
[2] *Ibid.*, VII, p. 626.
[3] Not in Hening.
[4] Hening, VII. p. 585.
[5] Not in Hening.
[6] Hening, VII, p. 617.

will be pleaſed to return our moſt unfeigned Thanks to that auguſt Body, whoſe Generoſity to us can only be equalled by the polite Manner in which their repeated Favour were conferred.

We beg leave, Sir, to aſſure you, and the reſpectable Gentlemen of the Houſe, that no Diſtances of Time can ever efface or diminiſh the high Senſe we entertain of your Goodneſs; to merit which will be an invariable Object of our Care and Ambition: This, in Caſe of any future Commotions, we will cherfully evince, by the moſt ſpirited Exertion of our beſt Endeavours to maintain the Honour and Safety of the Colony, which we have ſo long had the Honour to ſerve.

Permit me, Sir, to ſubſcribe myſelf, in the Name of the Corps, with the moſt perfect Deference, Sir,

Your moſt obliged and moſt
Humble Servant,
ADAM STEPHEN.

Frederickſburg,
Dec. 10, 1762.

113 A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Amendments made by this Houſe to their Amendments to the Bill, *entitled*, An Act[1] for amending and further continuing the Act for the better regulating and diſciplining the Militia.

Alſo to the Bill, *entitled*, An Act[2] to empower the reſpective Veſtries of the Pariſhes of *St. Andrew*, in the County of *Brunſwick*, and *Frederick*, in the County of *Frederick*, to ſell their Glebe Lands.

Alſo to the Bill, *entitled*, An Act[3] declaring Slaves to be perſonal Eſtate, and for other Purpoſes therein mentioned.

Alſo to the Bill, *entitled*, An Act[4] to repeal an Act made in the 22d Year of his late Majeſty's Reign, entitled, An Act concerning Strays, and to eſtabliſh a more effectual Method to prevent Frauds committed by Perſons taking up Strays.

Alſo to the Bill, *entitled*, An Act[5] to empower *Carter Henry Harriſon*, Gentleman, to build a Mill on *Willis's* Creek, in the County of *Cumberland*.

Alſo to the Bill, *entitled*, An Act[6] to amend the ſeveral Acts of Aſſembly of this Colony for licenſing Pedlars, and preventing Frauds in the Duties on Skins and Furs.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Thurſday, the 23rd of December, 3 Geo. III. 1762.

A *Petition* of *Michael M'Carty*, *James Atherton*, *Thomas Jones*, Sen. *Thomas Jones*, Jun. *John Connelly*, *John Davis*, *Stephen Foſter*, *Bryan*, *William Shae*, *John Peal*, *Thomas Buckmaſter* and *John Archer*, ſetting forth that they have been ſome Time employed as Guardmen over the Magazine in the City of *Williamſburg*, and hope they have diſcharged their Duty faithfully, during all which Time they were exempt from muſtering with the Militia, or finding Arms, but now being diſcontinued are obliged to enliſt in the Militia, and find proper Arms; that they are very poor Men, and not able to ſpare ſo much from the Maintenance of their reſpective Families as will purchaſe ſuitable Arms for muſtering; and praying that they may be permitted to keep the Arms they made Uſe of when they guarded the Magazine, which they promiſe ſhall be always ready for the Service of their King and Country, whenever Occaſion may require, was preſented to the Houſe and read; and the Queſtion being put that the ſaid Petition be referred to a Committee,

It paſſed in the Negative.

Reſolved, That the ſaid Bill be rejected.

On a *Motion* made,

Reſolved

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[1] Hening, VII, p. 534.
[2] *Ibid.*, VII, p. 617.
[3] Not in Hening.
[4] Hening, VII, p. 545.
[5] *Ibid.*, VII, p. 626.
[6] *Ibid.*, VII, p. 585.

Reſolved, That the Speaker be directed, when the Houſe ſhall be commanded by the Governour to attend him with the enrolled Bills for his Aſſent, to deſire his Honour will be pleaſed not to lay an Embargo on Corn.

Mr *Fleming* reported that the Committee appointed had, according to Order, examined the enrolled Bills and Reſolves, and rectified ſuch Miſtakes as were found therein; and that they were truly enrolled.

Ordered, That Mr *Fleming* do carry them up to the Council, for their Inſpection.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have inſpected the enrolled Bills and Reſolves, and are ſatiſfied they are truly enrolled.

A *Meſſage* from the Council by Mr *Walthoe*. 114

Mr Speaker,

"*The Governour commands the immediate Attendance of your Houſe in the Council Chamber, and that you bring with you ſuch Bills and Reſolves as are ready for his Aſſent.*"

Mr *Speaker* with the Houſe went up accordingly, and his Honour the Governour was pleaſed to give his Aſſent to the following publick and private Bills:

1. *An Act*[1] *for directing and better regulating the Elections of Burgeſſes, for ſettling their Privileges, and for aſcertaining their Allowances.*

2. [2]*For further amending and further continuing the Act for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms.*

3. [3]*For amending and further continuing the Act for the better regulating and diſciplining the Militia.*

4. [4]*For further continuing the Act for reducing the ſeveral Acts for making Proviſions againſt Invaſions and Inſurrections into one Act.*

5. [5]*For the better and more regular collecting the publick Taxes.*

6. [6]*For raiſing a publick Levy.*

7. [7]*To repeal an Act made in the 22d Year of his late Majeſty's Reign, entitled, An Act concerning Strays, and to eſtabliſh a more effectual Method to prevent Frauds committed by Perſons taking up Strays.*

8. [8]*For Relief of inſolvent Debtors, for the effectual Diſcovery and more equal Diſtribution of their Eſtates.*

9. [9]*To amend the Act for encouraging Arts and Manufactures.*

10. [10]*For inſpecting Pork, Beef, Flower, Tar, Pitch and Turpentine.*

11. [11]*For regulating the Gold Coin of the German Empire.*

12. [12]*For the more effectual keeping the publick Roads and Bridges in Repair.*

13. [13]*For eſtabliſhing Pilots, and regulating their Fees.*

14. [14]*To amend the ſeveral Acts of Aſſembly of this Colony for licenſing Pedlars, and preventing Frauds in the Duties on Skins and Furs.*

15. [15]*For eſtabliſhing ſeveral new Ferries.*

16. [16]*To amend the Act entitled, An Act to oblige the Owners of Mills, Hedges, or Stone Stops, on ſundry Rivers therein mentioned to make Openings or Slopes therein for the Paſſage of Fiſh, and for other Purpoſes therein mentioned.*

17. [17]*For diſpoſing of the publick Stores of Gunpowder in the Magazine in the City of Williamſburg.*

18. [18]*To amend an Act, entitled, An Act for regulating Ordinaries, and Reſtraint of Tippling Houſes.*

19. [19]*For eſtabliſhing the Town of Charlottesville, in the County of Albemarle.*

20. [20]*For eſtabliſhing the Town of Romney, in the County of Hampſhire, and for other Purpoſes therein mentioned.*

For

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[1] Hening, VII, p. 517.
[2] *Ibid.*, VII, p. 530.
[3] *Ibid.*, VII, p. 534.
[4] *Ibid.*, VII, p. 539.
[5] *Ibid.*, VII, p. 539.
[6] *Ibid.*, VII, p. 543.
[7] *Ibid.*, VII, p. 545.
[8] *Ibid.*, VII, p. 549.
[9] *Ibid.*, VII, p. 563.
[10] *Ibid.*, VII, p. 570.
[11] *Ibid.*, VII, p. 575.
[12] *Ibid.*, VII, p. 577.
[13] *Ibid.*, VII, p. 580.
[14] *Ibid.*, VII, p. 585.
[15] *Ibid.*, VII, p. 588.
[16] *Ibid.*, VII, p. 590.
[17] *Ibid.*, VII, p. 594.
[18] *Ibid.*, VII, p. 595.
[19] *Ibid.*, VII, p. 597.
[20] *Ibid.*, VII, p. 598.

21. [1]*For eſtabliſhing the Town of Mecklenburg, in the County of Frederick.*

22. [2]*For eſtabliſhing the Town of Hanover, in the County of Hanover.*

23. [3]*For enlarging the Town of Peterſburg, and for other Purpoſes therein mentioned.*

24. [4]*For enlarging the Town of Alexandria, in the County of Fairfax.*

25. [5]*To empower the Veſtry of the Pariſh of Bruton to ſell certain Lots in the City of Williamſburg, for the Purpoſes therein mentioned.*

26. [6]*For appointing Directors and Truſtees for the Town of Blandford, in the County of Prince George, and to prevent Hogs running at large therein.*

115 27. [7]*To empower the Veſtry of the Pariſh of St. Patrick, in the County of Prince Edward, to levy for Thomas Wood a reaſonable Satiſfaction for his Expenſes in building a Church there, which was burnt down before it was finiſhed.*

28. [8]*For adding Part of the Pariſh of Cameron to the Pariſh of Truro.*

29. [9]*For ſettling the Bounds between the Pariſhes of Martin's Brandon and Briſtol, in the County of Prince George.*

30. [10]*For dividing the Pariſh of Accomack, in the County of Accomack, into two diſtinct Pariſhes.*

31. [11]*For diſſolving the Veſtry of the Pariſh of Hampſhire, in the County of Hampſhire, and electing a new Veſtry in the ſaid Pariſh.*

32. [12]*To empower the reſpective Veſtries of the Pairſhes of St. Andrew, in the County of Brunſwick, and Frederick, in the County of Frederick, to ſell their Glebe Lands.*

33. [13]*For dividing the Pariſh of Nottoway, in the County of Southampton.*

34. [14]*For adding part of the County of King and Queen to the County of Caroline, and for altering the Court Day of the ſaid County of King and Queen.*

35. [15]*For altering the Court Days of the Counties of Prince Edward and Lunenburg.*

36. [16]*For building a Bridge over the north Branch of James River, in the County of Albemarle.*

37. [17]*For building a bridge over Nottoway River, from the Land of Jeſſe Brown, by Subſcription.*

38. [18]*To oblige the Juſtices of the County of Albemarle to refund to the Counties of Amherſt and Buckingham their juſt Proportion of the Money paid for Weights and Meaſures before the Diviſion of the ſaid County of Albemarle.*

39. [19]*To empower Carter Henry Harriſon, Gentleman, to build a Mill on Willis's Creek, in the County of Cumberland.*

40. [20]*To dock the Entail of certain Lands whereof Ralph Wormeley, Eſq; is ſeized, and for ſettling other Lands of greater Value to the ſame Uſes.*

41. [21]*To confirm and eſtabliſh an Agreement made between James Scott the elder, Clerk, and James Scott the younger, his Son.*

42. [22]*To dock the Entail of certain Lands whereof Henry Scarburgh is ſeized in Fee Simple, and for other Purpoſes therein mentioned.*

43. [23]*To veſt certain Lands therein mentioned in James Hubard, and ſettling other lands and Slaves of greater Value in Lieu thereof.*

44. [24]*For paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly.*

His Honour likewiſe gave his Aſſent to the following Reſolves:

1. *For allowing the Officers of the Virginia Regiment the ſeveral Sums therein mentioned.*

2. *For allowing the ſeveral Officers of the Virginia Regiment 6 Months Pay.*

3. *For allowing the Hon. William Byrd, Eſq; £500, for the Services therein mentioned.*

4. *For allowing Col. William Peachey one Year's Pay, in Conſideration of his paſt Services.*

5. *For allowing Mr George Mercer £500, for the Services therein mentioned.*

For

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[1] Hening, VII, p. 600.
[2] *Ibid.*, VII, p. 601.
[3] *Ibid.*, VII, p. 602.
[4] *Ibid.*, VII, p. 604.
[5] *Ibid.*, VII, p. 607.
[6] *Ibid.*, VII, p. 608.
[7] *Ibid.*, VII, p. 611.
[8] *Ibid.*, VII, p. 612.
[9] *Ibid.*, VII, p. 613.
[10] *Ibid.*, VII, p. 614.
[11] *Ibid.*, VII, p. 616.
[12] *Ibid.*, VII, p. 617.
[13] *Ibid.*, VII, p. 618.
[14] *Ibid.*, VII, p. 620.
[15] *Ibid.*, VII, p. 622.
[16] *Ibid.*, VII, p. 622.
[17] *Ibid.*, VII, p. 623.
[18] *Ibid.*, VII, p. 625.
[19] *Ibid.*, VII, p. 626.
[20] *Ibid.*, VII, p. 628.
[21] *Ibid.*, VII, p. 630.
[22] *Ibid.*, VII, p. 634.
[23] *Ibid.*, VII, p. 636.
[24] *Ibid.*, VII, p. 596.

6. *For allowing Major Andrew Lewis the Sum of £350.*

7. *For allowing William Bronaugh a Year's Pay, as Captain in the Virginia Regiment.*

8. *For allowing Larkin Chew £100, and £40 a Year during his Life.* 116

9. *For allowing James Duncanſon £40 a Year during his Life.*

10. *For paying to the Governours and Viſitors of William and Mary College the Sum of £450 Sterling, for the Uſes therein mentioned.*

11. *For paying Joſeph Royle, Printer, £350.*

And then cloſed the ſeſſion with the following Speech:

Gentlemen of the Council, Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

The Fatigue you have ſuſtained in preparing and conſidering the great Number of Bills I have this Day paſſed, and the Seaſon of the Year, both conſpire to call for a Relaxation from the Buſineſs you have been ſo deeply engaged in; and as I am always deſirious to contribute to your private Intereſts, by giving you Time to attend to your own domeſtick Affairs, as far as my Duty to his Majeſty, and my Concern for the Publick, will permit me, I ſhall give you that Receſs which you now expect from me, by proroguing you, and you are accordingly prorogued, to the third Tueſday in April next.

JOURNAL

of the

HOUSE OF BURGESSES

1763

Burgeſſes.

Accomac	*Thomas Parramore *Southey Simpſon
Albemarle	*Thomas Walker *John Fry
Amelia	*David Greenhill *Thomas Tabb
Amherſt	*William Cabell *Cornelius Thomas
Auguſta	*John Wilſon *Iſræl Chriſtian
Bedford	*William Callaway *John Talbot
Brunſwick	*William Thornton *Iſaac Rowe Walton
Buckingham	*Robert Bolling, Jr. *Joſeph Cabell
Caroline	*John Baylor Edmund Pendleton
Charles City	Benjamin Harriſon *William Kennon
Cheſterfield	Archibald Cary Richard Eppes
The College	*Mann Page
Culpeper	*John Field *James Barbour
Cumberland	*George Carrington *John Fleming
Dinwiddie	*Robert Bolling *Leonard Claiborne, Jr.
Elizabeth City	George Wythe *William Wager
Eſſex	*John Lee *John Upſhaw
Fairfax	*George Johnſton *John Weſt
Fauquier	*Thomas Harriſon *Thomas Marſhall
Frederick	George Waſhington George Mercer
Glouceſter	*Thomas Whiting John Page
Goochland	*John Payne *Joſias Payne
Halifax	*Nathaniel Terry *Robert Wade
Hampſhire	James Mercer *Thomas Rutherford
Hanover	*Nathaniel Weſt Dandridge *John Syme
Henrico	Bowler Cocke *Philip Mayo
Iſle of Wight	*James Bridger *Joſeph Bridger
James City	*Lewis Burwell *Philip Johnſon
Jameſtown	*Edward Champion Travis
King & Queen	John Pendleton John Robinſon
King George	Charles Carter *Charles Carter, Jr.
King William	*Bernard Moore *Carter Braxton
Lancaſter	Charles Carter *Richard Mitchell
Loudoun	*Francis Lightfoot Lee *James Hamilton
Louiſa	*William Johnſon *Thomas Johnſon
Lunenburg	*Henry Blagrave *Clement Reade Jr.
Middleſex	*John Smith *Ralph Wormeley
Nanſemond	*Willis Riddick *Lemuel Riddick
New Kent	*Burwell Baſſett *Richard Adams
Norfolk	William Bradley *Thomas Veal
Norfolk Borough	Joſeph Hutchings
Northampton	*John Harmanſon *Thomas Dalby
Northumberland	*Richard Hull *Spencer Ball
Orange	*James Taylor *James Walker
Prince Edward	*Peter Legrand *Abner Naſh
Prince George	Richard Bland *Richard Bland, Jr.
Prince William	*John Baylis Henry Lee
Princeſs Anne	*Edward Hack Moſeley *Anthony Walke

*Not ſhown by the Journal to have been preſent during the Aſſembly.

Richmond	*John Woodbridge
	*Landon Carter
Southampton	*Joſeph Gray
	*Benjamin Symmons
Spotſylvania	*Fielding Lewis
	Benjamin Grymes
Stafford	*William Fitzhugh
	Thomas L. Lee
Surry	*Hartwell Cocke
	*William Bailey
Suſſex	*David Maſon
	*John Edmunds
Warwick	*William Digges
	*William Harwood
Weſtmoreland	Richard Henry Lee
	*Richard Lee
Williamſburg	Peyton Randolph
York	*Dudley Digges
	*Thomas Nelſon, Jr.

*Not ſhown by the Journal to have been preſent during the Aſſembly.

Changes in the Perſonnel, 1763.

Lunenburg — Clement Reade, Jr. ſucceeded Clement Reade

JOURNAL

of the

HOUSE OF BURGESSES

Thursday, the 19th of May, 3 Geo. III. 1763.

A *Meſſage* from the Governour was delivered by Mr *Walthoe*.

Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

The Governour commands the immediate Attendance of your Houſe in the Council Chamber.

Accordingly Mr *Speaker*, with the Houſe, went up to attend the Governour; and being returned, reported that he, with the Houſe, had attended the Governour in the Council Chamber, and that he was pleaſed to make a Speech to the Council and this Houſe, of which he had, to prevent Miſtakes, obtained a Copy; which he read to the Houſe, and afterwards delivered in at the Table, where it was again twice read, and is as follows:

Gentlemen of the Council, Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

I have called you together before the Time to which you ſtood prorogued, on Buſineſs of the greateſt Importance to the trading Intereſt not only of this Colony but to that of our Mother Country.

You may remember that on a former Application of the Merchants of Great Britain, *trading to* Virginia, *I was honoured with an Inſtruction from his Majeſty that I ſhould recommend it to your Conſideration in what Manner you could better provide for their Security in recovering Sterling Debts due from this Colony to them: Your Neglect of that Inſtruction has now drawn on you the Cenſure of the Right Honourable the Board of Trade, for that Behaviour. On a freſh Application of the Merchants to their Lordſhips, they have come to ſeveral Reſolutions on that Head, which I ſhall immediately lay before you. I have never yet deceived you, and I will not now attempt it; but, in plain Language, inform you that all Endeavours to evade their Force will prove fruitleſs, and plunge you ſtill deeper in his Majeſty's Diſpleaſure. It is abſolutely neceſſary that ſomething ſhould be done to give the Merchants that Satiſfaction for which they call upon you, and for which, in Caſe of Failure of Succeſs here, they will call upon a higher Power. But from my Knowledge of the Integrity of your Hearts, and of your Deſire that every Man ſhould receive full Payment and Satiſfaction for the Debts due to him, whether contracted in Sterling or current Money, whether he be an Inhabitant of* Great Britain *or* Virginia, *I am fully perſuaded you will immediately do every Thing in your Power to do them the ſtricteſt Juſtice, and remove their Fears. The Means of effecting this I ſhall leave to the Reſult of your own Deliberations, after recommending two Points to your Conſideration.*

As the Support of publick Credit is of the moſt urgent Importance to a trading Country, I muſt preſs you to take Care that the Paper Money now in Currency may be effectually redeemed at the Times ſtated in the Acts of Aſſembly paſſed for that Purpoſe, either by better providing for the Collection of the preſent Taxes, if ſufficient for the End propoſed, or laying ſome additional Tax, if the preſent are found inſufficient for the Purpoſe, that the Periods for redeeming the ſame may not be protracted.

Another Point I would recommend to you is the repealing the inſolvent Law, paſſed laſt Seſſion of Aſſembly, before it can take Place and have any Effect: This Meaſure muſt

muſt fully convince his Majeſty, his Miniſters, and even the Merchants of Great Britain *themſelves, of your upright Intentions, and your Deſire of doing Juſtice to all Mankind; for upon your reconſidering that Law you will find that the Advantages to the Debtor and Creditor ariſing from it are not mutual; and that a Debtor has it in his Power to act with great Partiality, by paying particular Creditors before he is reduced to give up the Whole for the Satiſfaction of the others. This is a Point which you may be ſure cannot be overlooked, and which muſt neceſſarily turn to your Diſadvantage, if you do not put a Remedy to it yourſelves.*

After thus repreſenting to you the Situation of your Affairs with the Right Honourable the Board of Trade, I ſhould not do Juſtice to their Lordſhips who compoſe that Board were I not to point out their Lenity in poſtponing any Obſervations on your Conduct, or any Report to his Majeſty in your Diſſavour, until they had communicated their Reſolutions to you, to give you Time to reconſider theſe Matters coolly, and remedy the Evils complained of. For this Purpoſe they have not only ſent them in to me, but have given Copies to Mr Abercrombie *and M^r* Montague, *to be by them tranſmitted to every Branch of the Legiſlature.*

I am perſuaded I have ſaid enough to convince you of the Utility and Neceſſity of your engaging heartily in the Meaſures enforced by the Reſolutions of the Right Honourable the Lords of Trade; and as the leaſt Appearance of Reproach muſt ſenſibly affect feeling Minds, I ſhall quit this unpleaſing Subject, to enter upon one which muſt communicate Joy to all true Lovers of their Country, I mean the Concluſion of a moſt glorious and honourable Peace between his Majeſty and all his Enemies, of which happy Event I take this Opportunity to congratulate with you. The Care his Majeſty has taken of his American *Colonies is a further Proof of his Attention to their Intereſt and Security, and demands the ſtrongeſt Returns of Loyalty, Obedience and Affection, from us.*

Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

This glorious Proſpect of a ſolid and laſting Peace will afford you an Opportunity of particularly attending to the Finances of this Colony, and of putting them on a Footing which may tend to the Advancement of the Trade and Credit of the Colony, and the Security and Satiſfaction of the Merchants trading to it, and which may correſpond with the Sentiments of the Britiſh *Miniſtry as to the Eſtabliſhment of the Currency of the Colonies; for the anſwering all which good Purpoſes, I doubt not you will provide with your uſual Prudence and Impartiality.*

Gentlemen of the Council and of the Houſe of Burgeſſes, 3

The Points I have recommended to your Conſideration call upon you for your moſt ſerious Reflexion, and I hope you will enter upon them with that Degree of Earneſtneſs and Harmony which the Nature of them requires from you.

On a *Motion* made,

Reſolved, That an Addreſs be preſented to his Honour the Governour, to repreſent to him that, to comply with his Majeſty's Requiſitions, we were under a Neceſſity of making the ſeveral Emiſſions of Treaſury Notes, as no Specie could be procured for thoſe Exigencies; and that we expected they would have been conſidered as Acts of Duty to our Sovereign, and not made the Subject of Complaint: That we never thought it juſt to circulate them without making them a legal Tender in all Payments, except for his Majeſty's Quitrents; nor could we ever have been induced to emit them on any other Terms.

That we imagined, when the Courts were empowered to direct at what Difference of Exchange Sterling Debts ſhould be diſcharged, and ſufficient Funds were eſtabliſhed for the Redemption of thoſe Notes, no Perſons trading to this Colony could receive any Injury, and therefore little expected to be cenſured as neglecting his Majeſty's Inſtruction, the Spirit of which had been, in our Opinion, complied with.

That

That we think the *Britiſh* Merchants have not conſulted their own Intereſt in this Complaint, ſince the Loſſes they may have ſuſtained by the ſudden Riſe of Exchange will be made up to them on its preſent declining State.

But, leſt we may be miſtaken in our Opinion on this Matter, we will (on his Honour's Recommendation, of whoſe Sincerity we have never had Reaſon to doubt) take it again into our Conſideration, and do every Thing in our Power to ſupport publick Credit, and avoid his Majeſty's Diſpleaſure, which we have always regarded as the greateſt Miſfortune.

To aſſure him that we will reconſider the Inſolvents Law, and remove all Cauſe of Complaint on that Head, if poſſible; and to expreſs our Happineſs on the Concluſion of a ſafe, honourable, and advantageous Peace.

Ordered, That a Committee be appointed to draw up an Addreſs to the Governour, purſuant to the ſaid Reſolution; and it is referred to Mr *Charles Carter*, Mr *Edmund Pendleton* and Mr *Wythe*, to prepare and bring in the ſame.

Mr *Speaker* informed the Houſe that the Governour had delivered to him the Reſolutions of the Lords of Trade, on the Memorial of the *Britiſh* Merchants on the Subject of our Paper Currency, and deſired him to lay them before the Houſe; and the ſaid Reſolutions were read, and ordered to lie on the Table.

Reſolved, That this Houſe will take the Governour's Speech into Conſideration Tomorrow.

Reſolved, That an Addreſs be preſented to his Honour the Governour, to deſire that he will be pleaſed to lay the Inſtruction mentioned in his Speech before the Houſe; and that Mr *Attorney* do wait on him with the ſaid Addreſs.

Ordered, That the Committee of Correſpondence lay their Letters to the Agent, relative to the *Britiſh* Merchants Remonſtrance to the Board of Trade concerning our Paper Currency, and his Anſwers thereto, before the Houſe.

Reſolved, That an Addreſs be made to his Honour the Governour, to order a new Writ to iſſue for electing a Burgeſs to ſerve in this preſent General Aſſembly for the County of *Lunenburg*, in the Room of Mr *Clement Read*, Gentleman, deceaſed; and that Mr *Pendleton* do wait on him with the ſaid Addreſs.

Ordered, That the Reverend Mr *William Yates* be continued Chaplain to this Houſe, and that he attend to read Prayers every Morning at 10 o'Clock.

Ordered, That the ſeveral Doorkeepers be continued in their reſpective Offices, and that they give their Attendance accordingly.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Friday, the 20th of May. 3 Geo. III. 1763.

MR *Charles Carter* reported that the Committee appointed had, according to Order, prepared an Addreſs to the Governour; which he read in his Place, and then delivered in at the Table, where the ſame was again twice read, and agreed to by the Houſe, and is as follows:

Sir,

We his Majeſty's moſt dutiful and loyal Subjects, the Burgeſſes of Virginia, *now met in General Aſſembly, humbly beg Leave to repreſent to your Honour that as our ſeveral Emiſſions of Treaſury Notes, ſo loudly complained of, were made in Conſequence of his Majeſty's Requiſitions, when it was impoſſible to procure Specie for thoſe Exigencies; and there being no other Succedaneum than Paper within our Knowledge, we could not expect what we then did would be conſidered otherwiſe than as Acts of Duty to our Sovereign; and we hoped that Expedient, not indeed in itſelf always eligible, was juſtified by Neceſſity: And we did not think it equal or juſt to circulate ſuch Notes without giving them the eſſential*

Quality

Quality of Money, by making them a legal Tender in Payment of all Debts, except for his Majeſty's Quitrents, and would not have emitted them at all upon any other Conditions.

That after the Courts were empowered to direct at what Difference of Exchange Judgments for Sterling Debts ſhould be diſcharged, which Power had never been abuſed to the Diſadvantage of any Creditor, and as the Notes were redeemable by Funds ſufficient, in our Opinion, for that Purpoſe, if the Taxes impoſed were duly collected, for regulating and enforcing which Collection the moſt effectual Methods have from Time to Time been eſtabliſhed, we imagined as good a Security was provided for all Perſons trading hither as could be, and that none of them could ſuffer, except from the fluctuating Nature of Exchange, which no Laws can guard againſt; and therefore we did not apprehend we ſhould deſerve Cenſure, as neglecting the royal Inſtruction, the Spirit of which, we humbly conceived, had been complied with.

Under ſuch Circumſtances, we cannot help conſidering it as an Inſtance of Weakneſs or Caprice in the Britiſh *Merchants ſtill to inſiſt on Satsfaction in theſe Points, eſpecially when the Evil they complain of, the exceſſive Riſe of Exchange, will be ſufficiently balanced by the Advantage they muſt inevitably receive from its preſent declining State.*

We, Sir, are ſo conſcious of the Rectitude of our Intentions with reſpect to all Creditors, and of our having done, as we conceived, the ſtricteſt Juſtice to them, that we cannot help feeling very ſenſibly the leaſt Appearance of Reproach on this Account; but leſt we may have been miſtaken in our Conceptions, and as well to convince the World of our Integrity and Inclination to do Juſtice to all Mankind, as to pay that Regard which is due to your Honour's Recommendation, of whoſe Sincerity we have had too many Inſtances to doubt it upon this Occaſion, and to whom we own ourſelves obliged for that Freedom with which you have warned us of our Danger, we will reconſider this Subject with the Coolneſs and Attention the Importance of it deſerves, and aſſure your Honour that every Thing in our Power ſhall be done for the Support of publick Credit: And although our Conduct herein may not entirely remove the Fears of all the Merchants, permit us to hope it may prevent his Majeſty's Diſpleaſure, which we ſhould lament as our greateſt Miſfortune, and ſhall ever moſt ſtudiouſly endeavor to avoid.

We will alſo take the inſolvent Law under our Conſideration' and remove all Cauſes of Complaint on that Head, if poſſible.

We do moſt heartily rejoice with your Honour on the Concluſion of the Peace, an Event not more glorious to his Majeſty than it will be happy for us, whilſt with that is continued the additional Bleſſing of his princely Attention to our Intereſt and Security, which ſhall ever meet with the warmeſt Returns of Gratitude, Loyalty and Affection.

Ordered, That the ſaid Addreſs be fairly tranſcribed, and preſented by the whole Houſe.

Ordered, That the Committee who prepared the ſame wait on the Governour to know his Pleaſure when they ſhall attend his Honour to preſent it.

Mr *Attorney* delivered in at the Table his Majeſty's Inſtruction mentioned in the Governour's Speech, which he received from his Honour in Conſequence of the Addreſs of this Houſe.

He alſo laid before the Houſe, according to Order, the Letters of the Committee of Correſpondence to the Agent, reſpecting the *Britiſh* Merchants Memorial to the Board of Trade, and his Anſwers thereto.

Ordered, That the ſame do lie on the Table.

The *Order* of the Day being read for the Houſe to take into their Conſideration the Governour's Speech,

Reſolved, That this Houſe will reſolve itſelf into a Committee on the ſaid Speech.

Ordered, That the Memorial of the *Britiſh* Merchants, the Reſolutions of the Lords of Trade, and the Letters of the Committee of Correſpondence, and the Agent's Anſwer thereto, be referred to the Conſideration of the ſaid Committee.

And then the Houſe reſolved itſelf into a Committee on the ſaid Speech and Letters; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Charles Carter* reported

reported that the Committee had had the ſaid Speech, Letters and Papers, under their Conſideration, but not having Time to go through the ſame they had directed him to move for Leave to ſit again.

Reſolved, That this Houſe will again reſolve itſelf into a Committee on the ſaid Speech Tomorrow.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Saturday, the 21st of May, 3 Geo. III. 1763.

MR *Charles Carter* reported that the Committee appointed had, according to Order, waited on his Honour the Governour, to know his Pleaſure when the Houſe ſhould attend him with their Addreſs, and that he was pleaſed to appoint this Day, and to ſay he would ſend a Meſſage to the Houſe when he was ready to receive it.

On a *Motion* made,

6 *Ordered*, That Leave be given to bring in a Bill To alter the Court Day of the County of *Stafford*, and it is referred to Mr *Richard Henry Lee* and Mr *Thomas Lee* to prepare and bring in the ſame.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For further continuing and amending the Act, entitled, *An Act*[1] *for the better regulating and collecting certain Officers Fees, and for other Purpoſes therein mentioned*, and it is referred to Mr *Bland* to prepare and bring in the ſame.

A *Meſſage* from the Governour was delivered by Mr *Walthoe*.

Mr *Speaker*,

I am commanded by the Governour to acquaint your Houſe that his Honour is now ready to receive their Addreſs in the Council Chamber.

Mr *Speaker*, with the Houſe, went up accordingly; and being returned, reported that he had, with the Houſe, attended the Governour in the Council Chamber, and preſented the Addreſs of this Houſe to him, to which he was pleaſed to anſwer:

Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

From the Aſſurances you now give me that you will reconſider the Matters recommended to you with all the Coolneſs and Attention which the Importance of them deſerves, from the juſt and becoming Senſe you ſhow of the Loſs of his Majeſty's Favour, and from the long known Integrity of your Hearts, I have the ſtrongeſt Reaſon to hope you will fall upon ſuch Meaſures as will do Honour to yourſelves, and convince the World that you are earneſt to do impartial Juſtice to all Mankind, and to ſupport the Credit of the Colony; which will inevitably reſtore you to any Part of his Majeſty's Favour which you may have unfortunately loſt.

Theſe Reſolutions give me great Pleaſure; which, with the Regard you expreſs to my Recommendation, demand my Thanks, which I moſt heartily give you.

A *Petition* of *Thomas Gift*, ſetting forth that he entered in the Service of this Colony in the Year 1756 as an Officer in the Regiment, and continued therein until it was diſbanded in 1762; that in Colonel *Grant's* Engagement, near *Pittſburg*, he received a Wound in his right Hand, which has almoſt deprived him of the Uſe thereof, and loſt all his Baggage, to a conſiderable Value, and was himſelf taken Priſoner by the *Indians*, and detained for a Year, when he found Means to eſcape, and endured great Fatigue and Hardſhips in his Return; that he is greatly hindered in his Means of Livelihood by his ſaid Wound, and has not a ſufficient Fortune to ſupport himſelf; and praying the Conſideration of the Houſe therein, was preſented to the Houſe and read.

Ordered

[1] Hening, V, p. 326.

Ordered, That the ſaid Petition be referred to Mr *Edmund Pendleton*, Mr *Waſhington*, Mr *Richard Bland* and Mr *Mercer;* that they examine the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Governour's Speech,

Ordered, That the further Conſideration of the ſaid Speech be put off until *Monday* next.

A *Claim* of *John Bailey*, for taking up a Runaway therein mentioned, was preſented to the Houſe and received.

Ordered, That the ſaid Claim be referred to the Conſideration of the next Seſſion of Aſſembly.

On a *Motion* made,

Ordered, That all ſuch Claims and Propoſitions as were referred from the laſt to this Seſſion of Aſſembly, and alſo all ſuch Claims and Propoſitions as ſhall be certified to this Seſſion of Aſſembly, be referred to the Conſideration of the next Seſſion of Aſſembly.

And then the Houſe adjourned until Monday Morning 11 o'Clock.

Monday, the 23rd of May, 3 Geo. III. 1763.

MR *Richard Bland*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill For further continuing and amending the Act, entitled, *An Act*[1] *for the better regulating and collecting certain Officers Fees, and for other Purpoſes therein mentioned;* and the ſame was read the firſt Time, and ordered to be read a ſecond Time. 7

The *Order* of the Day being read, the Houſe reſolved itſelf into a Committee to take into their further Conſideration the Governour's Speech, together with the ſeveral Letters and Papers to the ſaid Committee referred; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Charles Carter* reported that the Committee had had the ſaid Speech and Letters under their further Conſideration, but not having Time to go through the ſame they had directed him to move for Leave to ſit again.

Reſolved, That this Houſe will again reſolve itſelf into the ſaid Committee Tomorrow.

On a *Motion* made,

Ordered, That a Committee be appointed to inquire into the Funds for the Redemption of the Paper Currency, and that they ſtate and report the ſame to the Houſe; and it is referred to Mr *Bland*, Mr *Richard Henry Lee* and Mr *Benjamin Harriſon*.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To amend an Act, entitled, *An Act*[2] *for enlarging the Towns of* Frederickſburg *and* Wincheſter, *the City of* Williamſburg, *and Town of* Dumfries, *and for other Purpoſes therein mentioned;* and it is referred to Mr *Grymes* to prepare and bring in the ſame.

Mr *Richard Henry Lee*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill For altering the Court Day of the County of *Stafford;* and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Tuesday, the 24th of May, 3 Geo. III. 1763.

A *Petition* of the Inſpectors at *Morton's* Warehouſe, praying their Salaries may be augmented, was preſented to the Houſe and read, and referred to the Conſideration of the next Seſſion of Aſſembly.

Alſo a *Petition* of the Inſpectors at *Gibſon's* Warehouſe, praying to be allowed for 840 lbs. of Tobacco that was ſtolen out of the ſaid Warehouſe, at two different

[1] Hening, V, p. 326. [2] *Ibid.*, VII, p. 314.

ent Times. in the Months of *January* and *April* laſt, was preſented to the Houſe and read, and referred to the Conſideration of the next Seſſion of Aſſembly.

On a *Motion* made,

Ordered, That it be an Inſtruction to the Committee to whom it is referred to bring in a Bill To amend an Act, entitled, *An Act*[1] *for enlarging the Towns of* Frederickſburg *and* Wincheſter, *the City of* Williamſburg, *and Town of* Dumfries, *and for other Purpoſes therein mentioned*, that they receive a Clauſe or Clauſes to enlarge the Town of *Portſmouth*, by the Addition of ——— Acres of Mr *Veal's* Land, adjoining to the ſaid Town.

Mr *Bland*, from the Committee appointed, reported that the ſaid Committee had, according to Order, examined into the State of the Treaſury Notes emitted, and the ſeveral Taxes impoſed by Law for ſinking the ſame, and had ſtated an Account thereof, by which it appears that the Taxes exceed the Treaſury Notes iſſued £11452. 4. 7, to which Sum large Arrears due from ſeveral Sheriffs, for which Judgments have been obtained in the General Court, are to be added; which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe, as follows:

8 Dr. STATE of the TREASURY NOTES Emitted,

To Notes iſſued in	*June* 1757	£	179962	10
Do.	*April* 1758		32000	
Do.	*September* 1758		57000	
Do.	*February* 1759		52000	
Do.	*November* 1759		10000	
Do.	*March* 1760		20000	
Do.	*May* 1760		32000	
Do.	*March* 1762		30000	
Balance of the Taxes more than the Notes iſſued,			11452	4 7
		£	424414	14 7

9 And the *taxes* for ſinking the ſame. Cr.

1760	*July*,	by Notes burnt, redeemable in	1765	£	10051	14	3
	November,	Do. – –	Do.		20678	15	9
1761	*May*,	Do. – –	Do.		9633	14	
	December,	Do. – –	Do.		10792	6	
1762	*July*,	Do. – –	Do.		6821	10	
	November,	Do. – –	Do.		16421	16	
		Do. redeemable –	1776		2593	5	9
		Do. – 1768 and	1769		1634	7	
		Do. 1766, 1768 and	1769		1534	7	6
		Do. Do.	Do.		147	18	9
		Do. Do. Do.	Do.		5345	11	6
					85655	6	6
Notes in the Treaſury, by laſt Account, to be burnt					25574	13	1
Do. received ſince, to be burnt					24300		
Notes, Part of the £ 57,000 directed to be iſſued in *September* 1758 not emitted					375		
Do. Part of the £ 30,000 directed to be iſſued in *March* 1762, not emitted					10250		
					146154	19	7

By

[1] Hening, VII, p. 314.

By a Tax on 120,000 Tithes for 1763, at 4s	£ 24000		
Do. on 10,000000 Acres of Land, 2s	10,000		
Do. 50,000 Hhds. of Tobacco, 2s	5,000		
Do. Slaves	2,000		
Do. Wheel Carriages, Writs and Licenſes	2,000		
	43,000		
Collector's Commiſſion, at 5 per Cent	2,150		
	40,850		
Treaſurer's Commiſſion	931		
		39,919	
Taxes for 1764, the ſame		39,919	
Do. for 1765, Do.		39,919	
By Tax on 120,000 Tithes for 1766, at 5s	30,000		
Land Tax	10,000		
Tobacco	5,000		
	45,000		
Collector's Commiſſion, at 5 per Cent	2,250		
	42,750		
Treaſurer's Commiſſion, at 2 per Cent	855	41,895	
Taxes for 1767		41,895	
Do. for 1768		41,895	
By Tax on 120,000 Tithes for 1769, at 4s	24,000		
Land Tax	6,250		
Tax on Tobacco	5,000		
	35,250		
Collector's Commiſſion	1,762–10		
	33,487–10		
Treaſurer's Commiſſion	669–15		
		32,817	15
	£	424414	14 7

Ordered, That the ſaid Report do lie on the Table.

A *Petition* of *Joſeph Royle*, Printer, praying the Continuance of his Salary as Printer to this Houſe, was preſented to the Houſe and read.

Reſolved, That the Sum of £ 350 per Annum be allowed to the ſaid *Joſeph Royle*, to continue to the End of the next Seſſion of Aſſembly, as a full Conſideration for printing the Journals of the Houſe of Burgeſſes, printing the Laws of each Seſſion and ſending thirteen of them to every County Court Clerk, one of which to be half bound for the Uſe of the Court, printing Inſpectors Notes and Books, Proclamations, and other publick Advertiſements.

Ordered, That the ſaid Reſolve be engroſſed, and that Mr *Attorney* do carry it up to the Council for their Concurrence.

A *Petition* of the Miniſters and Veſtries of the Pariſhes of *St. Mark* and *Bromfield*, in the County of *Culpeper*, praying that the ſaid Pariſhes may be divided into three diſtinct Pariſhes, was preſented to the Houſe and read, and referred to the Conſideration of the next Seſſion of Aſſembly.

On

On the *Petition* of *James Galt*, Keeper of the publick Gaol, praying a Continuance of his former Salary,

Reſolved, That the additional Sum of £ 15 be paid to the ſaid *James Galt*, over and above his uſual Salary of £ 25 per Annum.

Reſolved, That 10 lbs. of Tobacco a Day be allowed to the ſaid *James Galt*, for every Criminal committed to the ſaid Gaol, during ſuch Criminal's Impriſonment, from this Time to the End of the next Seſſion of Aſſembly.

A *Petition* of *John Ramſey*, ſetting forth that he enliſted as a Soldier in the *Virginia* Regiment, under the Command of Colonel *George Waſhington*, in the Year 1754; that in the Engagement at the *Great Meadows* he was taken Priſoner by the Enemy, and remained in Captivity five Years and ſix Months, during which Time he ſuffered ſuch Treatment as could only be expected from ſuch mercileſs Savages; that he returned to *Virginia* in the Year 1761, and enliſted in the laſt *Virginia* Regiment, commanded by Colonel *Stephen;* that he hath received no Part of his Pay for the five Years and ſix Months he was in Confinement, or any Recompenſe for his ſufferings, and praying the Conſideration of the Houſe therein, was preſented to the Houſe and read.

Alſo a *Petition* of *Edward Child*, a Soldier in the *Virginia* Regiment, under the Command of Colonel *Mercer*, ſetting forth that in Major *Grant's* Defeat, before Fort *Du Queſne*, in the Year 1758 he had the Miſfortune to loſe his Thumb by a Ball, which has rendered his Hand almoſt uſeleſs, and, being overpowered by a greater Number of the Enemy, was, with many others, taken Priſoner, and remained in Captivity twenty one Months and five Days, and at Times during his Confinement underwent great Hardſhips, and was often ſeverely treated by them; and praying the Conſideration of the Houſe therein, was preſented to the Houſe and read.

Alſo a *Petition* of *William Shaw*, late a Sergeant in the firſt *Virginia* Regiment, ſetting forth that in the Month of *November* 1756 he was ordered on an Excurſion, with ſome *Catawba* Indians to the *Ohio*, where he and his Party, engaging a much Superior Number of the Enemy, were put to Flight, and after wandering ſome Time was taken Priſoner by a Party of the Enemy, who to prevent his Eſcape inhumanly cut off his Toes; that he remained a Captive thirty three Months, during which Time he ſuffered very ſevere Hardſhips; and praying the Conſideration of the Houſe therein, was preſented to the Houſe and read.

Alſo a *Petition* of *Thomas Branan*, a Sergeant in the *Virginia* Regiment, ſetting forth that on the 14th of *November* 1758 he was wounded in the Neck by a Muſket Ball,
11 in an Action with the Enemy near Fort *Ligonier*, under the Command of Colonel *Mercer*, which has greatly impaired his Eyeſight, and renders him incapable of getting a Livelihood as before he entered into the Service; that he has loſt ſeveral Horſes in the Service, for which he hath received no Satiſfaction; that in wading the Waters he loſt ſeveral Things of Value, particularly a ſilver Watch, and ſeveral Papers, and the Receipts for the Horſes above mentioned; and praying the Conſideration of the Houſe therein, was preſented to the Houſe and read.

Alſo a *Petition* of *Henry Emmerſon*, aged 66 Years, an Invalid, ſetting forth that he hath been nine Years in the Service of this Colony, and is now unable to provide for himſelf a ſufficient Maintenance; and praying ſome Relief, was preſented to the Houſe and read.

Alſo a *Memorial* of *Charles Smith*, a Lieutenant in the late *Virginia* Regiment, ſetting forth that he entered into the Service of this Colony in the Year 1754, in the firſt Troops raiſed under the Command of Colonel *Joſhua Fry*, and continued in the ſame until the Reduction of the *Virginia* Regiment; that during the Time of his Service for the Defence of his Country he was in all the ſeveral Engagements, from the very Commencement to the End of Hoſtilities, in which the Troops of *Virginia* fought, and he has the Satiſfaction to believe he always diſcharged his Duty and the Truſt repoſed in him, as he was ſo fortunate, from a private Soldier, to be promoted to an Enſigncy, and at the Time of diſbanding the Regiment was the firſt Lieutenant in the Service, which, as Modeſty forbids him to boaſt of his own Merit, he preſumes he has a Right to

ſay

ſay he obtained by his firm attachment to the Intereſt of his Country, his Readineſs to obey the Commands of his Superiors employed in the noble Cauſe of its Defence, and Deſire to perform, ſo far as he could be an Inſtrument, whatever his Abilities could attempt; that your Memorialiſt, as the moſt unfortunate Accident he has ever met with in the many Actions he has been, was ſo unlucky as to loſe his Hand, and great Part of his left Arm, by the burſting of a Muſket, on his Duty, and there being no further Neceſſity for his Service in the Cauſe of his Country, as a moſt glorious and happy Peace, which, for the Love he bears the Place of his Nativity, he hopes may prove as laſting as it is honourable, is now concluded, although the Proſpect expoſes him to the moſt diſagreeable Reflection of an Uncertainty of procuring a Livelihood, as his own private Fortune will not ſupport him, and he is unable, from the unlucky Stroke he has felt, to obtain a Subſiſtence through his own Labour; but as the honourable Houſe has never withheld their Bounty from any Perſon who has merited their Notice, your Memorialiſt is not without Hopes that his Caſe may be conſidered, and his Fears of Poverty, now but too ſtrongly impreſſed on his Mind, removed; and praying the Conſideration of the Houſe therein, was preſented to the Houſe and read.

Ordered, That the ſeveral Petitions be referred to the Conſideration of Mr *Edmund Pendleton*, M^r^ *Waſhington*, Mr *Richard Bland*, Sen. and Mr *George Mercer;* that they examine into the Allegations of the ſaid Petitions, and report the ſame, with their Opinion thereon, to the Houſe.

A *Petition* of *John Richards*, Gentleman, praying that an Act may paſs to enable him to keep a publick Ferry acroſs *Rappahannock* River, to and from the Town of *Leeds*, in the County of *King George*, and to make a Cauſey and Bridges through the Marſh oppoſite to the ſaid Town, and that he may receive the Profits thereon ſo long as he ſhall keep the ſaid Cauſey and Bridges in Repair, and that he may have for a Landing for ſuch Ferry 50 Feet ſquare of Ground out of Church Lots in the ſaid Town, in conſequence of an Agreement entered into between him and the Truſtees and Directors of the ſaid Town of *Leeds*, was preſented to the Houſe and read.

Ordered, That a Bill or Bills be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Edmund Pendleton* and Mr *Richard Henry Lee* to prepare and bring in the ſame. 12

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee, to take into their further Conſideration the Governour's Speech.

Reſolved, That this Houſe will again reſolve itſelf into the ſaid Committee immediately.

Ordered, That the Report concerning the State of the Funds for the Redemption of the Paper Currency be referred thereto.

And then the Houſe reſolved itſelf into the ſaid Committee; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Charles Carter* reported that the ſaid Committee had had the ſaid Speech, together with the ſeveral Letters and Papers to the ſaid Committee referred, under their further Conſideration, and had gone through the ſame, and come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where the ſame were again twice read, and agreed to, with an Amendment, and are as follow:

Reſolved, That it appears to this Committee that the Funds eſtabliſhed for the Redemption of the Treaſury Notes, at the ſeveral ſtated Periods, will be ſufficient to effect that Purpoſe; but that if, by any Accident, they ſhall happen to fail, any Deficiency ought to be ſupplied by a new and adequate Tax.

Reſolved, That it is the Opinion of this Committee that as the preſent Poſſeſſors of the Treaſury Notes have received them under the Faith of a law making them a legal Tender in all Payments, except for his Majeſty's Quitrents, to alter that eſſential Quality of them now would be an Act of great Injuſtice to ſuch Poſſeſſors; and that as the *Britiſh* Merchants have conſtantly received, and under the preſent Regulations of our Laws will continue to receive, ſuch Notes for their Sterling Debts according to the real

Difference

Difference of Exchange between this Colony and *Great Britain* at the Time of Payment, their Property is ſo ſecured as to make ſuch Alteration unneceſſary with reſpect to them.

Reſolved, That an Act of Aſſembly paſſed at the laſt Seſſion, entitled, *An Act*[1] *for Relief of inſolvent Debtors, for the effectual Diſcovery and more equal Diſtribution of their Eſtates*, ought to be repealed.

Ordered, That a Bill or Bills be brought in purſuant to the laſt Reſolution; and it is referred to Mr *Charles Carter*, Mr *Bland*, Mr *Edmund Pendleton*, Mr *Wythe* and Mr *Richard Henry Lee*, to prepare and bring in the ſame.

On a *Motion* made,

Reſolved, That an humble Addreſs and Repreſentation be preſented to his Honour the Governour, to communicate to him the Reſolutions of this Houſe upon the Matters recommended in his Speech, with the Reaſons on which thoſe Reſolves were founded, and the State of the Funds appointed for the Redemption of the Treaſury Notes; and it is referred to the laſt mentioned Committee to prepare and bring in the ſame.

On a *Motion* made,

Ordered, That the Treaſurer give publick Notice of the Amount of the Treaſury Notes in his Hands, from Time to Time, which are to paſs current after the 1ſt of *March* 1765; and that he be required to change thoſe Notes for ſuch as are to ſink, and their Currency determine, the ſaid 1ſt of *March* 1765; and that the Notes ſo changed be immediately burnt by the Committee appointed for that Purpoſe.

13 On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To amend an Act, entitled, *An Act*[2] *for laying an additional Duty on Rum, and other diſtilled Spirits, not being of the Produce of his Majeſty's Sugar Iſlands;* and it is referred to Mr *Attorney* to prepare and bring in the ſame.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To amend the ſeveral Acts for laying an additional Duty on Slaves, and a Tax on Wheel Carriages, Proceſs, and Ordinary Licenſes; and it is referred to Mr *Attorney*, Mr *Harriſon*, Mr *Carter*, Mr *Bland*, Mr *Pendleton* and Mr *Richard Henry Lee*, to prepare and bring in the ſame. And

On a *Motion* made,

Ordered, That it be an Inſtruction to the laſt mentioned Committee to receive a Clauſe or Clauſes to deprive the Sheriffs of the Privilege of replevying where their Goods are ſeized for the Taxes, alſo to make Proviſion where Sheriff Bonds are loſt.

And then the Houſe adjourned until Tomorrow Morning 11 o'clock.

Wednesday, the 25th of May, 3 Geo. III. 1763.

A *Claim* of *Joſhua Crawford*, praying ſome Recompenſe for a Quantity of Timber, and Plank cut down and deſtroyed, together with a Barn, a Log Houſe, and a Malt Kiln, on his Plantation, where Fort *Ligonier* was erected, to the Damage of £37·9·3.

Alſo a *Claim* of *Joſhua Powell*, in Behalf of himſelf and his Company, praying to be allowed 33 Days Pay, amounting to the Sum of £44, for their Services on the Frontiers of *Halifax*, by the Appointment of Colonel *Abraham Maury*, in the Year 1759.

Ordered, That the ſaid Claims be referred to the Conſideration of the next Seſſion of Aſſembly.

A *Petition* of the *Nottoway* and *Nanſemond Indians*, praying that they may be enabled, the former to fell about 4000 Acres of their Land, lying below *Buckhorn* Swamp, between *Nottoway* River, *Buckhorn* Road, and a Line to be run from the ſaid Road to *Nottoway* River, oppoſite to *John Brown's*, and the latter their whole Tract of Land, on the north Side of *Nottoway* River, in the County of *Southampton*, and that an Act may paſs

[1] Hening, VII, p. 549. [2] *Ibid.*, VII, p. 471.

paſs for that Purpoſe, was preſented to the Houſe and read; and the Queſtion being put that the ſaid Petition be referred to a Committee,

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

On a *Motion* made,

Reſolved, That an humble Addreſs be preſented to his Honour the Governour, to deſire him not to continue any Sheriff in Office for a longer Time than one Year, during the Continuance of the Laws by which Taxes are impoſed for the Redemption of the Treaſury Notes, where it ſhall be ſignified to him that ſuch Sheriff has failed to pay the Quitrents and Taxes at the Time appointed by Law, whereby great Inconveniences in ſerving Executions on Judgments againſt the Sheriff for the ſaid Taxes will be prevented.

Ordered, That Mr *Bland* do wait on his Honour with the ſaid Addreſs.

A *Bill* For altering the Court Day of the County of *Stafford* was read a ſecond Time, and committed to Mr *Cary*, Mr *Thomas Lee* and Mr *Eppes*.

On a *Motion* made,

Ordered, That the ſaid Committee receive a Clauſe or Clauſes To alter the Court Day of the County of *Cheſterfield*. 14

A *Bill* For further continuing and amending the Act, entitled, *An Act*[1] *for the better regulating and collecting certain Officers Fees, and for other Purpoſes therein mentioned*, was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Petition* of divers Freeholders, and other Inhabitants, of the County of *Frederick*, praying that the ſaid County may be divided, by a Line to be run from *Aſhby Gap*, a ſtraight Courſe, until it interſects the *Hampſhire* Line, and that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Alſo four *Petitions* from the ſaid County, in Oppoſition thereto.

Alſo a *Petition* of divers Inhabitants of that Part of the County of *Halifax* ſituated on *Hyco* River, praying that the Water Griſt Mill built near the mouth of the ſaid River, in the Year 1761, by *James Hembrie*, and now in the Poſſeſſion of one *Howard Huſt*, may be diſcontinued, the ſame being a great Obſtruction to the Paſſage of Fiſh up the ſaid River, which wholly deprives the Petitioners of the Advantage of that Support for their Families, and that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Alſo a *Petition* of *James Hughes*, of the County of *Auguſta*, Planter, praying to be reimburſed the Sum of £10. 19. 8. being the Amount of a Judgment and Coſts obtained againſt him in the Court of the ſaid County, in the Year 1759, by one *Anderſon*, of the ſaid County, in Conſequence of his having impreſſed two of his Horſes for the Uſe of the Frontier Batallion, notwithſtanding they were valued and delivered according to Law, and he had a Warrant from one of his Majeſty's Juſtices of the Peace of the ſaid County for ſo doing, was preſented to the Houſe and read.

Ordered, That the ſaid Petitions be referred to the Conſideration of the next Seſſion of Aſſembly.

And then the Houſe adjourned until Tomorrow Morning 11 *o'Clock.*

Thurſday, the 26th of May, 3 Geo. III. 1763.

A *Petition* of the Miniſters, Churchwardens, Veſtrymen and others, Inhabitants of the Pariſhes of *Elizabeth River*, *Portſmouth* and *St. Bride's*, in the County of *Norfolk*, ſetting forth that great Inconveniences ariſe in the Execution of the Law paſſed in the firſt Year of his preſent Majeſty's Reign, by which the Lands and Slaves deviſed by the Will of *Matthew Godfrey*, deceaſed, to the Poor of the ſaid County, were veſted in the Truſtees of the ſaid County, to be hired out; in as much

[1] Hening, VII, p. 326.

much as there is no Perſon to take Care of the ſaid Slaves when ſick, or the Females when they are lying in, and Diſputes often ariſe between the ſaid Veſtries about the Diviſion of their Hire, and taking Care of the ſaid Slaves; and praying that an Act may paſs for making Partition of the ſaid Slaves among the ſaid Pariſhes, and that the ſaid Land, with the Appurtenances, may be valued by diſintereſted Perſons, and the Property thereof veſted in the Veſtry of the Pariſh of *Elizabeth* River, for the Uſe of the Poor of the ſaid Pariſh, on their paying to the Veſtries of the other two Pariſhes their Proportion of ſuch Valuation, according to the Number of Tithables in each of the ſaid Pariſhes; and that the Money ſo paid may be laid out in other Lands, and be appropriated to the Uſe of the poor of the ſaid Pariſhes; was preſented to the Houſe and read.

15 *Ordered*, That the ſaid Petition be referred to the Conſideration of the next Seſſion of Aſſembly.

An engroſſed *Bill*, entitled, *An Act*[1] *for further continuing and amending the Act, enttiled, An Act for the better regulating and collecting certain Officers Fees, and for other Purpoſes therein mentioned*, was read a third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Bland* do carry up the ſaid Bill to the Council for their Concurrence.

Mr *Cary* reported that the Committee to whom the Bill To alter the Court Day of the County of *Stafford* was committed had made ſome Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

A *Petition* of the Mayor, Recorder, Aldermen, Common Council, and other Inhabitants, of the Borough of *Norfolk*, ſetting forth that frequent Robberies have of late been committed in the ſaid Borough, to the great Loſs of the Inhabitants, chiefly owing to the Want of a regular Watch; and praying that an Act may paſs to enable the Common Hall of the ſaid Borough to aſſeſs ſuch Taxes, from Time to Time, on the Inhabitants thereof, as ſhall be ſufficient for keeping and ſupporting a nightly Watch, and alſo for erecting Lamps, within the Limits of the ſame, was preſented to the Houſe and read.

Ordered, That a Bill or Bills be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Hutchings*, Mr *Cary* and Mr *Attorney*, to prepare and bring in the ſame.

Mr *Charles Carter*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill To repeal an Act, entitled, *An Act*[2] *for Relief of inſolvent Debtors, for the more effectual Diſcovery and more equal Diſtribution of their ſaid Eſtates;* and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Attorney*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill To amend an Act, entitled, *An Act*[3] *for laying an additional Duty on Rum and other diſtilled Spirits, not being of the Produce of his Majeſty's Sugar Iſlands;* and the ſaid Bill was read the firſt Time, and the Queſtion being put that the ſame be read a ſecond Time,

It paſſed in the Negative.

Reſolved, That the ſaid Bill be rejected.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To reduce the Duties on Northern Rum, and it is referred to Mr *Richard Henry Lee* to prepare and bring in the ſame.

A *Petition* of ſundry Inhabitants of the County of *Hampſhire*, praying that an Act may be paſſed granting a Premium to encourage the killing of Wolves in that and the neighboring Counties on the Frontiers of this Colony, that a Peſt ſo numerous and deſtructive to their Stocks may be put an End to, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the next Seſſion of Aſſembly.

Mr

1 Hening, VII, p. 645. 2 *Ibid.*, VII, p. 549. 3 *Ibid.*, VII, p. 471.

Mr *Charles Carter* preſented to the Houſe, according to Order, a Bill To amend the ſeveral Acts for laying an additional Duty on Slaves, and a Tax on Wheel Carriages, Proceſs, and Ordinary Licenſes; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time. 16

Mr *Edmund Pendleton* preſented to the Houſe, according to Order, a Bill To empower *John Richards*, Gentleman, to keep a Ferry to and from the Town of *Leed's*, in the County of *King George;* and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Grymes* preſented to the Houſe, according to Order, a Bill For amending the Act, entitled, *An Act*[1] *for enlarging the Towns of* Frederickſburg *and* Wincheſter, *the City of* Williamſburg, *and Town of* Dumfries, *and for other Purpoſes therein mentioned;* and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For giving the Sheriffs a more effectual Remedy againſt their Under Sheriffs and Securities, for Monies received by them for his Majeſty's Quitrents, and on Executions and other Proceſs; and it is referred to Mr *Henry Lee* to prepare and bring in the ſame.

Mr *Hutchings* preſented to the Houſe, according to Order, a Bill To empower the Common Hall of the Borough of *Norfolk* to aſſeſs ſuch Taxes, from Time to Time, on the Inhabitants thereof, as ſhall be ſufficient for keeping and ſupporting a nightly Watch, and erecting Lamps, within the Limits of the ſame; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time. *And*

On a *Motion* made,

The ſaid *Bill* was read a ſecond Time, and committed to Mr *Bradley* and Mr *Hutchings*.

On a *Motion* made,

A *Bill* To empower *John Richards*, Gentleman, To keep a Ferry to and from the Town of *Leeds*, in the County of *King George*, was read a ſecond Time, and ſome Amendments were made thereto.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

On a *Motion* made,

A *Bill* For amending the Act, entitled, *An Act*[2] *for enlarging the Towns of* Frederickſburg *and* Wincheſter, *the City of* Williamſburg, *and Town of* Dumfries, *and for other Purpoſes therein mentioned*, was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Petition* of *James Walker*, ſetting forth that he was a Lieutenant in the Frontier Battalion in the Year 1759, and recruited 60 Men for the ſaid Battalion, and was only allowed 15ſ. a Man for recruiting, and 8d. a Day for Subſiſtence; that he hath been informed that the Officers have ſince been allowed 30ſ. a Man, and 1ſ. a Day for recruiting Expenſes and Subſiſtence; and praying the Conſideration of the Houſe therein, and that his Allowance may be made adequate to theirs, was preſented to the Houſe and read.

Alſo a *Petition* of *Henry Darnell*, praying that he may be allowed for three Recruits, who, being taken ſick upon the Road before they arrived at the Place of Rendezvous, were refuſed by the Commander, as unfit for the Duty they were intended for, was alſo preſented to the Houſe and read.

Ordered, That the ſaid Petitions be referred to the Conſideration of the next Seſſion of Aſſembly.

And then the Houſe adjourned until Tomorrow Morning 11 *o'Clock.*

Friday

[1] Hening, VII, p. 314. [2] *Ibid.*, VII, p. 314.

17 # Friday, the 27th of May, 3 Geo. III. 1763.

MR *Bland* reported that he had, according to Order, waited on his Honour the Governour with the Addreſs of this Houſe, to deſire him not to continue any Sheriff in Office for a longer Time than one Year, agreeable to a Reſolution of the Houſe of *Wedneſday* laſt; and that his Honour was pleaſed to ſay he would conſider the Matter, and return an Anſwer to the ſaid Addreſs.

Mr *Richard Henry Lee* preſented to the Houſe, according to Order, a Bill To reduce the Duty on Northern Rum; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time. And

On a *Motion* made,

The ſaid *Bill* was read a ſecond Time, and committed to Mr *Richard Henry Lee*, Mr *Bradley* and Mr *Wythe*.

A *Meſſage* from the Council was delivered by Mr *Walthoe*.

That they have agreed to the Bill, *entitled*, An Act[1] for further continuing and amending the Act, entitled, An Act for the better regulating and collecting certain Officers Fees, and for other Purpoſes therein mentioned.

Mr *Henry Lee* preſented to the Houſe, according to Order, a Bill For giving the Sheriffs a more effectual Remedy againſt their Under Sheriffs, and Securities, for Monies received by them for his Majeſty's Quitrents, and on Executions and other Proceſs; which was read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* of *John Gregg*, by his Guardian *John Baylis*, ſetting forth that by an Act of Aſſembly paſſed laſt Seſſion, for the Removal of *Occoquan* Inſpection to *Colcheſter*, the ſaid *Gregg* ſuffered conſiderable Damage, he having ſunk a large Sum of Money in building and repairing ſeveral Warehouſes for the Reception and Security of Tobacco there, which the ſaid Law has rendered uſeleſs and unprofitable to him; and praying the Conſideration of the Houſe therein, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the next Seſſion of Aſſembly.

An engroſſed *Bill*, entitled, *An Act*[2] *for altering the Court Days of the Counties of* Stafford *and* Cheſterfield, was read a third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Richard Henry Lee* do carry up the ſaid Bill to the Council for their Concurrence.

Mr *Attorney* informed the Houſe that his Honour the Governour would comply with the Addreſs of this Houſe relative to the Continuance of Sheriffs in Office.

A *Petition* of *Daniel Hutchings*, Maſter of the Packet Boat between *Norfolk* and *Williamſburg*, praying that the ſaid Packet may be eſtabliſhed by Act of Aſſembly, and that he may be appointed Keeper thereof, and that no other Perſon may exerciſe the ſaid Buſineſs, was preſented to the Houſe and read; and the Queſtion being put that the ſaid Petition be referred to a Committee,

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

Mr *Pendleton* reported that the Committee to whom the Petitions of the Officers and Soldiers of the late *Virginia* Regiment were referred had examined into the Allega-
18 tions thereof, and found them to be true, and agreed upon a Report, and come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again read, and are as follow:

On Conſideration of the *Memorial* of Lieutenant *Charles Smith*, that he had received a Wound in the Service of the Colony, by which he loſt his left Hand, and Part of his Arm,

Reſolved, That the Allegations of the ſaid Memorial are true, and that the ſaid *Charles Smith* ought to be allowed the Sum of £40 a Year during his Life, towards his Support.

On

[1] Hening, VII, p. 645. [2] *Ibid.*, VII, p. 656.

On Conſideration of the *Petition* of Lieutenant *Thomas Gift*, that he had in the Service of the Colony received a Wound in his right Hand, which has almoſt deprived him of the Uſe thereof,

Reſolved, That the Allegations of the ſaid Petition are true, and that the ſaid *Thomas Gift* ought to be allowed the Sum of £40 a Year during his Life, towards his Support.

On Conſideration of the *Petition* of Sergeant *William Shaw*, ſetting forth that in an Engagement with the *Indians*, in the Year 1756, he was taken Priſoner, and to prevent his Eſcape had his Toes cut off from both his Feet, the Wounds of which ſtill remain unhealed, and are very painful to him, whereby he is rendered incapable of maintaining himſelf; that he had eight Months Arrears of Pay due to him when taken, and continued a Priſoner for 33 Months, his Pay for which Time amounted to £82; that on his Petition to this Houſe, in *February* 1759, he was allowed the Sum of £60, which was £22 ſhort of his Pay; and he is now without any Allowance for his Support, and incapable of maintaining himſelf;

Reſolved, That the Allegations of the ſaid Petition are true, and that the ſaid *William Shaw* ought to be paid the ſaid Sum of £22 by the Publick, and be allowed £10 a Year during his Life, for his Support.

On Conſideration of the *Petition* of *Henry Emmerſon*, it appears to the Committee that he was enliſted in the Year 1754, and continued in the Service, and behaved well, until the Forces were diſbanded, and is now of ſuch an advanced Age, and ſo infirm, that he does not appear to the Committee to be capable of working for his Livelihood.

Reſolved, That the ſaid *Henry Emmerſon* ought to be allowed the Sum of £5 a Year during his Life, towards his Support.

On Conſideration of the *Petition* of *Edward Childs*, ſetting forth that he had received a Wound in his left Hand, by which he entirely loſt his Thumb, and that his Hand was thereby almoſt rendered uſeleſs; that he was taken Priſoner by the *Indians* in Colonel *Grant's* Engagement, and detained as a Priſoner twenty Months, during which Time he ſuſtained great Hardſhips; it appears to the Committee that the ſaid Allegations are true, and that the Petitioner, on Application to this Houſe in *October* 1760, was allowed only his Pay during the Time of his Captivity.

Reſolved, That the ſaid *Edward Childs* ought to be allowed the Sum of £5 a Year during his Life, towards his Support.

On Conſideration of the *Petition* of *John Ramſay*, it appears to the Committee that he was in the Service as a Soldier in the Battle at the *Great Meadows* in 1754, where he behaved in a cowardly daſtardly Manner, and that he with great Difficulty was ſome Time kept in the Ranks; that at Length he quitted them through Fear, but was again brought back, and at laſt he was miſſing; but as the Troops were overpowered by Numbers, and obliged to retreat, it does not appear whether he was taken Priſoner, or voluntarily ſurrendered himſelf, or fled to the Enemy; that he was in the Regiment at 19
the Time of its being diſbanded; that he was abſent from the Colony five Years and ſix Months, from the Day of the Engagement at the *Meadows*, his Pay for which Time would amount to £66, no Part of which he has received.

Reſolved, That it is the Opinion of this Committee that the ſaid Petition be rejected.

On Conſideration of the *Petition* of *Thomas Branan*, praying to be allowed for two Horſes impreſſed into the Service, and never returned to him; for the Hire of another Horſe, for eight Days; for his Pay as Sergeant, for ſix Months; and ſome Proviſion for his Support, in Conſideration of a Wound he received in his Neck in the Service; it appears to this Committee that the ſaid *Branan* received a Wound in the back Part of his Neck, but how it affects him does not appear to us, otherwiſe than as he alleges the ſame is prejudicial to his Sight.

Reſolved, That the ſaid *Thomas Branan* ought to be allowed the Sum of £10, as a Recompenſe for his ſaid Wound.

Reſolved, That the Reſidue of the ſaid Petition ought to be rejected, for Want of Proof of its Allegations.

The *ſecond* Reſolution being twice read, was diſagreed to by the Houſe.

The

The *firſt, third, fourth, fifth, ſixth, ſeventh* and *eighth*, Reſolutions being alſo twice read, were agreed to.

Ordered, That the ſaid Reſolves be engroſſed, and that Mr *Edmund Pendleton* do carry them up to the Council for their Concurrence.

Mr *Richard Henry Lee*, from the Perſons to whom the Bill For reducing the Duties on Northern Rum was committed, reported that they had made ſeveral Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to by the Houſe.

Ordered, That the Bill with the Amendments be engroſſed, and read a third Time.

On a *Motion* made,

Reſolved, That Lieutenant *Thomas Gift* be allowed by the Publick £35 a Year during his Life, towards his Support.

Ordered, That the ſaid Reſolve be engroſſed, and that Mr *Pendleton* do carry it to the Council for their Concurrence.

A *Petition* of *Edward Hubbard* and *James Gunn*, Captains of two Companies of Artificers employed on the Works of *Pittſburg*, praying to be allowed ſome additional Pay for their extraordinary Diligence therein, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to Mr *Archibald Cary*, Mr *Benjamin Cocke*[4] and Mr *Mercer;* that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

An engroſſed *Bill*, entitled, *An Act*[1] *for enlarging the Towns of* Frederickſburg *and* Winchester, *the City of* Williamſburg, *and Town of* Dumfries, *and for other Purpoſes therein mentioned*, was read a third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Grymes* do carry it up to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[2] *to empower* John Richards, *Gentleman, to keep a Ferry to and from the Town of* Leed's *in the County of* King George, was read a third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Edmund Pendleton* do carry it up to the Council for their Concurrence.

A *Bill* For continuing and appropriating the additional Duty on Slaves, and the Tax on Wheel Carriages, Ordinary Licenſes, and original Proceſs, and for other Purpoſes therein mentioned, was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

Ordered, That Mr *Attorney* and Mr *Cary* be added to the Committee to whom the Bill To empower the Common Hall of the Borough of *Norfolk* to aſſeſs ſuch Taxes, from Time to Time, on the Inhabitants thereof, as ſhall be ſufficient for keeping and ſupporting a nightly Watch, and erecting Lamps, within the Limits of the ſame, is referred.

A *Bill* To repeal the Act, entitled, *An Act*[3] *for Relief of inſolvent Debtors, for the effectual Diſcovery and more equal Diſtribution of their Eſtates*, was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

On a *Motion* made,

A *Bill* For eſtabliſhing a better Method of appointing Sheriffs, was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Saturday, the 28th of May, 3 Geo. III. 1763.

A *Petition* of *John Terrier*, of the County of *King George*, praying to be allowed ſome Compenſation for the Ravages committed by the *Virginia* Regiment during their Encampment on his Plantation, in the Year 1762, to a large Amount, was preſented to the Houſe and read, and referred to the Conſideration of the next Seſſion of Aſſembly.

On

[1] Hening, VII, p. 314. [2] *Ibid.*, VII, p. 657. [3] *Ibid.*, VII, p. 549.

[4] Evidently intended for Bowler Cocke of Henrico, as the name of Benjamin Cocke does not appear in the liſt of Burgeſſes.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For altering the Court Day of the County of *Glouceſter*, and it is referred to Mr *John Page* to prepare and bring in the ſame.

An engroſſed *Bill*, entitled, *An Act*[1] *to reduce the Duty on Northern Rum*, was read a third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Richard Henry Lee* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[2] *for giving the Sheriffs a more effectual Remedy againſt their Under Sheriffs, and Securities, for Monies received by them for his Majeſty's Quitrents, and on Executions and other Proceſs*, was read a third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Henry Lee* do carry up the ſaid Bill to the Council for their Concurrence.

Mr *Page* preſented to the Houſe, according to Order, a Bill For altering the Court Day of the County of *Glouceſter*, which was read the firſt Time, and ordered to be read a ſecond Time.

An engroſſed *Bill*, entitled, *An Act*[3] *to repeal an Act, entitled, An Act for Relief of inſolvent Debtors, for the effectual Diſcovery and more equal Diſtribution of their Eſtates*, was read a third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Charles Carter* do carry up the ſaid Bill to the Council for their Concurrence.

Mr *Charles Carter* reported that the Committee appointed had, according to Order, 21
prepared an Addreſs and Repreſentation to his Honour the Governour; which he read in his Place, and then delivered in at the Table, where the ſame was again twice read, and agreed to by the Houſe, as follows:

Sir,

Your Honour having, with your accuſtomed Candour and Goodneſs, communicated to us the Complaint of ſome London *Merchants trading to this Colony to the Right Honourable the Lords of Trade and Plantations, and their Lordſhips Reſolutions thereupon, we took the ſame under our ſerious Conſideration, and find ourſelves under the Neceſſity of vindicating the Integrity and Uprightneſs of our Proceedings, every Way, in our Opinion, conſiſtent with our Duty to our King, and the true Intereſt of our Country.*

Our Dependence upon Great Britain *we acknowledge and glory in as our greateſt Happineſs and only Security; but this is not the Dependence of a People ſubjugated by the Arms of a Conqueror, but of Sons ſent out to explore and ſettle a new World, for the mutual Benefit of themſelves and their common Parent: It is the Dependence of a Part upon one great Whole, which, by its admirable Conſtitution, diffuſes a Spirit of Patriotiſm that makes every Citizen, however diſtant from the Mother Kingdom, zealous to promote its Majeſty and the publick Good.*

By ſuch a Spirit, and by ſuch Principles, Sir, hath our Conduct ever been influenced; and we hope we may, without Arrogance, take this Character to ourſelves, ſince our late and preſent Sovereigns have been pleaſed frequently to beſtow it upon us for the Part we took in the late War, when we did, as far as we were able, contribute to the Succeſs of the Britiſh *Arms.*

This Conduct, though it hath received the royal Approbation, a Reward adequate to our warmeſt Wiſhes, hath nevertheleſs involved us in a great Debt; which, as it was created for the nobleſt Purpoſe, we ſhould cheerfully ſuſtain, if the Merchants had not raiſed a moſt unreaſonable Clamour againſt our Paper Bills of Credit: In the Emiſſions of which, when a true and particular State of the Facts ſhall be laid before you, and the Matter rightly underſtood, we doubt not a Zeal ſo well intended will rather be imputed to us as meritorious than liable to any Exception.

The

[1] Hening, VII, p. 646. [2] *Ibid.*, VII, p. 648. [3] *Ibid.*, VII, p. 643.

The Memorial, we are concerned to find, is ſupported by a Proteſt of ſome of his Majeſty's Council here. We would leave this Proteſt to its Repoſe, until Poſterity, for whom it is ſaid to have been deſigned, ſhould think it worth a Peruſal, had it not been communicated by the Authors of it with a View to alarm the trading Intereſt, and applied to Purpoſes, and produced Effects, which we hope the Proteſters themſelves did not intend; but ſince that hath raiſed the Apprehenſions of the Memorialiſts, and inſtigated them to ſolicit the Interpoſition of the Right Honourable the Board of Trade, we muſt do Juſtice to ourſelves by examining the Grounds of it. It is alleged "that the Want of a ſufficient Quantity of circulating Money was at firſt the Pretence of iſſuing Paper Bills of Credit." This is ſuppoſed to have meant, as it was underſtood, to inſinuate that theſe Emiſſions were to anſwer private Purpoſes; but, if it be remembered that all our neighbouring Colonies had long before adopted, and moſt of them repeated, the Expedient of Paper to ſupply the Want of Specie in Time of Peace, but that we did not follow their Example before the laſt War, after all our Treaſure was anticipated, and that even then we choſe at firſt to borrow £10,000 granted for his Majeſty's Service, at the high Intereſt of ſix per Centum, and never, until after that Reſource failed,
22 *went into a Meaſure ſo little reliſhed, and always, except in one Inſtance of trifling Conſequence, confined the Amount of the Notes to the Money granted: If theſe notorious Truths are admitted, we leave it to the Judgment of the Diſintereſted whether at ſuch a Criſis, when an actual Invaſion threatened, if not timely and vigorouſly oppoſed, our total Extermination, the powerful Principle of Self Preſervation, co-operating with the Requiſitions of a moſt gracious Sovereign, are not ſufficient to acquit us of any ſordid or unjuſt Motives.*

It is ſaid in the Proteſt "that the Apprehenſions of the Miſchiefs that muſt be the Conſequence of iſſuing more Paper Money were ſufficiently warranted by the acknowledged Deficiency of the Taxes for ſinking what had iſſued, a Deficiency ſo alarming to a preceding Aſſembly that it aſtoniſhed the Warmeſt Advocates for Paper Money." By whom this acknowledgment was made, or what Part of the Aſſembly was alarmed at it, we know not; but this we know, and do aſſert, that there are no warm Advocates for Paper Money among us, further than to preſerve the Credit of what hath been iſſued, and prevent the evil Conſequences of ſtopping its Circulation at this Time; and that no ſuch Deficiency ever appeared, or was alarming to, or acknowledged by us.

Indeed, upon Examination of the Treaſurer's Accounts, it appeared that many Sheriffs had not paid in the Taxes received by them, and therefore ſo much Money was not annually burnt as was intended by the Laws. This raiſed the Reſentment of the Houſe againſt theſe Officers, and conſiſtently with their uniform Intentions to uſe every Method for enforcing regular Collections of the Taxes, and ſinking annually the due Proportion of this Paper they ordered the Sheriffs in Arrears to be proſecuted on their Bonds, which, as our Laws have provided a ſpeedy Remedy againſt them, and they give ſufficient Security, hath already brought in a conſiderable Part of thoſe Arrears, and will, we hope, remove all Cauſe of Complaint on that Account. But this Neglect in the Officers is very diſtinguiſhable from an Inſufficiency in the Taxes, which we never doubted were ſufficient, if properly collected, to effect the Purpoſe of Redemption; and we are now confirmed in this Opinion, by a ful State of the Notes in Circulation, and of the Taxes, which we have cauſed to be truly drawn, and annexed hereto, for the Satiſfaction of your Honour, and every Perſon concerned.

From this it will appear that the diſſenting Members of the Council were betrayed into a too haſty Aſſertion of theſe Facts, by a Warmth ariſing from a Difference of Opinion about the Utility of the Law whereto their Proteſt related; of which we will now take Leave, and proceed to the Conſideration of the Memorial itſelf, and the Reſolutions of the Right Honourable the Board of Trade thereupon.

Our Reaſons for not providing at this Time for the ſuppoſed Deficiency in our Taxes, will appear from what is before ſet forth; but to expreſs, what we always conceived, that our publick Faith is engaged to ſupply any accdiental Failure in thoſe Taxes, we have upon this Point come to the following Reſolution:

"Reſolved, That it appears that the Funds eſtabliſhed for the Redemption of the Treaſury Notes, at the ſeveral ſtated Periods, will be ſufficient to effect that Purpoſe; but that if, by

any

any Accident, they ſhall happen to fail, any Deficiency ought to be ſupplied by a new and adequate Tax."

The next Thing pointed out to us is the declaring theſe Notes not a legal Tender in Payment of Sterling Debts, but that they may be received by ſuch Creditors only as are willing to accept them, and then not at their nominal Value, but according to the real Difference of Exchange between ſuch Paper Bills and Sterling Money at the Time of Payment.

In entering upon this Conſideration we encounter a Charge which very deeply affects 23
us, that we have been wanting in a proper Reſpect to the Crown, as well as in Juſtice to the Britiſh *Merchants, in refuſing to comply with what was recommended by his late Majeſty's Inſtruction of the 31ſt of* January, *1759: When that Inſtruction was communicated to us by your Honour, we conſidered it with the Attention and Regard due to whatever comes from the Throne; but, as we muſt be allowed to judge for ourſelves, ſo far as our Sanction is neceſſary to any Law, and could not be convinced that the Meaſure propoſed was proper, we did indeed decline to paſs ſuch a Law, but at the ſame Time, in an humble Addreſs and Repreſentation to his Majeſty, modeſtly ſet forth the Reaſons of our Conduct, which we preſumed to hope would preſerve us from the Imputation of Diſreſpect to the Crown, and from the royal Diſpleaſure. And as we heard of no further Complaints from the* Britiſh *Merchants on this Subject, from that Time until the Meeting of this Seſſion, we concluded they were ſatiſfied of our Intentions to do them Juſtice; and we can venture to ſay that had we known our Reaſons were not ſatiſfactory, it would have prevented ſeveral ſubſequent Emiſſions, and particularly the laſt, which gave Riſe to the preſent Complaint.*

The Memorialiſts allege that Exchequer Bills and Notes of the Bank of England *were not made legal Tender in Payment of Debts, although they are upon a better Eſtabliſhment than our Notes, and deduce an Argument from thence againſt ours being declared ſuch Tender, not conſidering, as we conceive, the true Diſtinction in the Caſes. The Notes of the Bank of* England, *circulated upon Stocks of Specie, depoſited to anſwer Payments when demanded, were not forced upon any Perſon, nor was it neceſſary: There was no Doubt of their anſwering every local Purpoſe of Money; and when in the Caſe of Remittances to foreign Countries Specie became neceſſary, as they could obtain that for their Notes, no poſſible Fear could prevent the willing Receipt of them, and make a Law to compel an Acceptance proper. We cannot deny but this makes that Kind of Paper preferable to ours, and we ſhould gladly have purſued ſo eligible a Plan, if our Circumſtances would have admitted it; but when it is conſidered that the Want of Specie, which had been drawn away by the Armies to the Northward, was the ſole Cauſe of iſſuing our Notes, there will require no other Reaſon to be aſſigned for our not circulating them upon the Footing of Bank and Exchequer Notes. We had therefore no other Method than to emit theſe Notes to circulate as Money for a ſhort limited Time, and to impoſe ſuch Taxes as ſhould effectually procure their Return to the Treaſury, or Gold and Silver ſufficient to redeem them by the Time appointed. And ſince we were to force them as Money upon our Army, and thoſe who furniſhed them with Neceſſaries, we conceive it would have been very unjuſt to have left their Creditors at Liberty to take it of them or not; and the ſame Injuſtice muſt have happened wherever it had been ſtopped. We therefore thought ourſelves obliged not only to give it that eſſential Quality of Money, to make it a legal Tender in all Payments, but to add ſeveral other Reſtrictions, to preſerve its Credit, and prevent the Deſigns of the Avaritious to depreciate it for their private Gain.*

But at the ſame Time we conſidered how the Intereſt of the Britiſh *Merchants might be affected by this Money, and, at leaſt as far as was in our Power, if not effectually, ſecured that from Injury.*

We ever conſidered ourſelves as under an Obligation to diſcharge our Debts contracted in Great Britain, *either in Sterling Money or foreign Coin, received by Conſent of the Creditor, or his Attorney here, at ſuch a Rate for the Difference of Exchange as would place the Money in* Great Britain *without loſs. If the Creditor and Debtor could not agree about* 24
this Difference, as Reference to Arbitration, or to the Courts of Juſtice, was the only regular Method of ſettling it between them. But as the Demand, and in Conſequence the Judgment, was for Sterling Money, and until the Year 1748 there was no Law directing at what Rate

of

of Exchange Sterling Debts ſhould be diſcharged, the Conſequence was that the Sheriffs, when they levied Money by Executions on Judgments for Sterling, demanded what Exchange they thought proper, to the great Oppreſſion of the Debtor, and without any Advantage to the Creditor. The Aſſembly then thought proper to put a Stop to ſuch unjuſt Proceedings, and, by the Act, entitled, An Act declaring the Law concerning Executions, and for Relief of inſolvent Debtors, *directed ſuch Executions for Sterling Money to be levied at 25 per Centum, the real Difference of Money, and the then Difference of Exchange. The* Britiſh *Merchants complained of this Act, and repreſented that they might be conſiderable Loſers when Exchange ſhould riſe above 25 per Centum, which the Aſſembly took into their Conſideration, and endeavoured to provide a Remedy for. They knew that, as Exchange is fluctuating, they could not do Juſtice by fixing it to any certain Standard; and therefore, by the ſubſequent Law taken Notice of in the Memorial, they empowered the Courts, where Sterling Judgments ſhould be obtained, to ſettle at what Rate of Exchange the ſame ſhould be diſcharged, which they conceived would enable the* Britiſh *Creditor to place his Money there without Loſs, as it was not doubted but the Courts would be governed by the higheſt Exchange given at the Time for Bills drawn payable in* Britain.

But the Memorialiſts ſay, this is not an ample Security of their Property againſt the evil Conſequences of Paper Money being declared a Tender for their Debts. We will beg Leave to conſider their Reaſons, in Support of this Aſſertion in the Order they have mentioned them:

The firſt is, they are adviſed that the Law of 1748 is ſtill in Force, having received the royal Aſſent, which the amending Law could not obtain, as the former remained unrepealed. This amending Law is not ſuſpended for his Majeſty's Approbation, but, from the Terms of it agreeable to the royal Inſtructions, was in Force from the Time of its paſſing here until his Majeſty ſhall declare his Diſſent and Repeal thereof; which not having happened, and the Courts here allowing the Force of that amending Law, and acting according to the Spirit thereof, we conceive it would have been more for the Intereſt of the Memorialiſts to have ſolicited his Majeſty's Approbation of that Law, if they thought it neceſſary, than to have founded Objections on its not being in Force; and if the royal Diſſent, or any Determination here, that the Law was not in Force, had turned to their Prejudice, they then might have complained with Reaſon on this Head.

The next Objection to this Remedy is, that it is left to the Colony Judges to ſettle the Exchange upon Sterling Judgments in ſuch Manner as they ſhall think reaſonable and juſt, which they ſay is introducing a Mode and Form of Juſtice unheard of in the Britiſh *Realm. We have before obſerved that when we have not Sterling Money to pay Debt due in* Great Britain, *the Debtor is left to compound with his Creditor for Payment in foreign Coin, or Treaſury Notes, at ſuch Rate of Exchange as they can agree on; if a Diſpute ſhall ariſe on that Head, which they cannot adjuſt between themſelves, to whom can it be referred, but as all other Diſputes are, to the Courts of Juſtice, the true conſtitutional Reſort? And we cannot diſcover what the Memorialiſts men by calling this a new Mode of Juſtice, unleſs it be*
25 *that the Point ſhould be tried by a Jury, and not by the Courts, in which, if we erred, it was from a miſtaken Opinion that the latter would prove in this Inſtance the moſt competent and impartial Judges. And as the Courts have conſtantly, in the Exerciſe of this Power, allowed the higheſt Rate of Exchange, as ſettled by the general Conſent of all the Traders, at which Bills of Exchange upon* Great Britain *were ſold at the Time, we humbly inſiſt that Sterling Debts are virtually paid in Treaſury Notes, not according to their nominal Value, but according to the real Difference of Exchange between them and Sterling Money.*

But it is ſaid, Experience hath ſhown, in many Inſtances, this Mode to be inſufficient, in as much as the Exchange hath riſen, between the Time of the Orders of Court and a Poſſibility of the Creditors obtaining a Remittance, to his Diſadvantage. We allow there have been ſuch Inſtances, but we muſt be permitted to ſay the Diſadvantage hath hitherto been ſmall and inconſiderable, of a caſual Nature, againſt which no human Laws can provide, and for which therefore we cannot ſuggeſt a Remedy; and the Injuries ſuſtained will be fully compenſated by the Advantages the Creditors muſt inevitably receive, in the ſame Proportion, from the preſent declining State of Exchange. By the Method propoſed, inſtead of this

objected

objected to, the Creditor is at Liberty to refuſe this Paper unleſs paid him at ſuch Rate of Exchange as he is pleaſed to demand; and we submit to all Mankind to determine which is moſt liable to Objection, to refer the Deciſion to diſintereſted Judges, under the Obligation of an Oath, to do equal and impartial Juſtice, or to the Creditor, under the Temptation of Intereſt, to take Advantage of his Debtor's Neceſſity, and extort ſuch Difference as might be very oppreſſive, which we conceive would directly tend to deſtroy the Credit of our Paper Money, and introduce the greateſt Miſchiefs.

We hope we have fully explained the Juſtice and Neceſſity of having made theſe Notes a Tender in all Payments, guarding as we did the Intereſt of the Sterling Creditors; and if this was originally right, every Argument muſt doubly militate againſt an Alteration at this Time in this eſſential Point: For, when theſe Notes have been allowed to circulate ſeveral Years, and the preſent Poſſeſſors have received them under the Faith of a Law which obliged their Creditors to take them in the ſame Manner, to take away that Obligation, and to ſtop the Paper in their Hands, would be an Act of Injuſtice, which, in our Opinion, bears no Proportion to any poſſible Injury the Sterling Creditors ſuſtained, or can receive, from continuing the Notes on their preſent Footing.

For theſe Reaſons, after the moſt mature Deliberation, we cannot alter our former Opinion, and have come to the following Reſolution:

"Reſolved, That as the preſent Poſſeſſors of the Treaſury Notes have received them under the Faith of a Law making them a legal Tender in all Payments, except for his Majeſty's Quitrents, to alter that eſſential Quality of them now would be an Act of great Injuſtice to ſuch Poſſeſſors; and that as the Britiſh *Merchants have conſtantly received, and under the preſent Regulations of our Laws will continue to receive, ſuch Notes for their Sterling Debts, according to the real Difference of Exchange between this Colony and* Great Britain, *at the Time of Payment, their Property is ſo ſecured as to make ſuch Alteration unneceſſary with Reſpect to them."*

Ordered, That the ſaid Addreſs and Repreſentation be fairly tranſcribed, and preſented by the Committee who prepared it, together with the State of the Funds for the Redemption of the Treaſury Notes.

An engroſſed *Bill*, entitled, *An Act*[1] *for continuing and appropriating the additional Duty on Slaves, and the Taxes on Wheel Carriages, Ordinary Licenſes, and original Proceſs*, was read a third Time. 26

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Edmund Pendleton* do carry it up to the Council for their Concurrence.

On a *Motion* made,

The *Bill* For altering the Court Day of the County of *Glouceſter*, was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

On a *Motion* made,

Reſolved, That the ſeveral Sums following be paid to the ſeveral Officers of the General Aſſembly, reſpectively:

To *John Randolph*, Eſq; Clerk of the Houſe of Burgeſſes..... £ 100
To *Nathaniel Walthoe*, Eſq; Clerk of the Geeneral Aſembly..... 40
To the Rev. Mr *William Yates*, Chaplain,..... 20
To Mr *Francis Eppes*, Sergeant at Arms,..... 30
To the Doorkeeper of the Council,..... 6

To *James Lavie*....	Doorkeepers to the Houſe,	 6
To *Nathaniel Hix*..		 6
To *John Broadrib*..		 6
To *Thomas Francis*.		 6

Ordered, That the ſaid Reſolve be engroſſed, and that Mr *Richard Henry Lee* do carry it up to the Council for their Concurrence.

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[1] Hening, VII. p. 639.

An engroſſed *Bill*, entitled, *An Act*[1] *for altering the Court Day of the County of* Glouceſter, was read a third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *John Page* do carry it up to the Council for their Concurrence.

Two *Claims* of *Cornelius Lartham* and *Charles Byrne*, for taking up Runaways therein mentioned, were preſented to the Houſe and received, and referred to the Conſideration of the next Seſſion of Aſſembly.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly, and it is referred to Mr *Archibald Cary* to prepare and bring in the ſame.

Mr *Bradley* reported that the Committee to whom the Bill To empower the Common Hall of the Borough of *Norfolk* to aſſeſs ſuch Taxes, from Time to Time, on the Inhabitants thereof, as ſhall be ſufficient for keeping and ſupporting a nightly Watch, and erecting Lamps, within the Limits of the ſame, was referred, had made ſeveral Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where they were again read, and agreed to by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

And then the Houſe adjourned until Monday Morning 11 o'Clock.

Monday, the 30th of May, 3 Geo. III. 1763.

AN engroſſed *Bill*, entitled, *An Act*[2] *To empower the Common Hall of the Borough of* Norfolk *to aſſeſs ſuch Taxes, from Time to Time, on the Inhabitants thereof, as ſhall be ſufficient for keeping and ſupporting a nightly Watch, and erecting Lamps within the Limits of the ſame*, was read the Third Time.

27 *Reſolved*, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry it up to the Council for their Concurrence.

Mr *Charles Carter* reported that the Committee appointed had, according to Order, waited on his Honour the Governour with the Addreſs and Repreſentation of this Houſe of *Saturday* laſt, to which his Honour was pleaſed to ſay he would return an Anſwer in writing.

Mr *Cary* preſented to the Houſe, according to Order, a Bill For paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly; which was read the firſt Time, and ordered to be read a ſecond Time. *And*

On a *Motion* made,

The ſaid *Bill* was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill or Bills, For adding ſundry Perſons to the Committee appointed to correſpond with the Agent of this Colony, and it is referred to Mr *Cary* to prepare and bring in the ſame.

On a *Motion* made,

Reſolved, That this Houſe is ſatiſfied with Mr *Abercrombie's* Account, as it is now ſtated, and that the Committee of Correſpondence be directed to write to Mr *Montague* and inform him of the ſame, and to allow him the £140 which he has charged for procuring his Quietus.

A *Meſſage* from the Council was delivered by Mr *Walthoe*.

That they have agreed to the Bill, *entitled*, An Act[3] for continuing and appropriating the additional Duty on Slaves, and the Taxes on Wheel Carriages, Ordinary Licenſes, and original Proceſs.

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[1] Hening, VII, p. 656.
[2] *Ibid.*, VII, p. 654.
[3] *Ibid.*, VII, p. 639

Alſo to the Bill, *entitled*, An Act to repeal an Act,[1] entitled, An Act for Relief of inſolvent Debtors, for the effectual Diſcovery and more equal Diſtribution of their Eſtates.

Alſo to the Bill, *entitled*, An Act[2] for altering the Court Day of the County of *Glouceſter*.

Alſo to the Bill, *entitled*, An Act[3] for altering the Court Days of the Counties of *Stafford*, and *Cheſterfield*.

Alſo to the Bill *entitled*, An Act[4] for giving the Sheriffs a more effectual Remedy againſt their Under Sheriffs, and Securities, for Monies received by them for his Majeſty's Quit-rents, and on Execution and other Proceſs.

Alſo to the Bill, *entitled*, An Act[5] for amending the Act, entitled, An Act for enlarging the Towns of *Frederickſburg* and *Wincheſter*, the City of *Williamſburg*, and Town of *Dumfries*, and for other Purpoſes therein mentioned.

Alſo to the Bill, *entitled*, An Act[6] to reduce the Duty on Northern Rum.

Alſo to the Bill, *entitled*, An Act[7] to empower *John Richards*, Gentleman, to keep a Ferry to and from the Town of *Leeds* in the County of *King George*.

Alſo to the Reſolve *of this Houſe* For Allowing the Officers of the General Aſſembly the ſeveral Sums therein mentioned.

Alſo to the ſeveral Reſolves *of this Houſe* For allowing ſome of the Officers and Soldiers of the *Virginia* Regiment the ſeveral Sums therein mentioned.

And alſo that they had paſſed a Bill, *entitled* An Act[8] for eſtabliſhing a better Method of appointing Sheriffs, *to which they deſire the Concurrence of this Houſe.*

And the ſaid *Bill* was read the firſt Time, and ordered to be read a ſecond Time. And

On a *Motion* made,

The ſaid *Bill* was read a ſecond Time, and ordered to be read a third Time.

A Written *Meſſage* from the Governour was at the ſame Time delivered by Mr *Walthoe*, as follows: 28

Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

I will tranſmit the Reaſons you have aſſigned for your Conduct, and the Reſolutions you have come to, in your Addreſs of Saturday *laſt, to the Right Honourable the Lords Commiſſioners for Trade and Plantation Affairs, by the firſt Opportunity; which I hope, with what you ſhall further think proper to do to comply with their Lordſhips Deſires, and entirely remove all future Cauſe of Complaint from the Merchants, will prove fully ſatisfactory, as well to their Lordſhips as the Merchants: And I ſtill hope you will further conſider this Matter, and take ſuch Meaſures as will effectually anſwer all the Ends propoſed.*

Ordered, That the Committee to examine the enrolled Bills do conſiſt of the following Perſons, *viz.* Mr *Wythe*, Mr *Grymes*, Mr *Bradley* and Mr *John Pendleton*.

A *Bill*, entitled, *An Act*[9] *for eſtabliſhing a better Method of appointing Sheriffs*, was read a third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Pendleton* do acquaint the Council therewith.

An engroſſed *Bill*, entitled, *An Act*[10] *for paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly*, was read a third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Cary* do carry up the ſaid Bill to the Council for their Concurrence.

Mr *Cary* preſented to the Houſe, according to Order, a Bill For adding ſundry Perſons to the Committee appointed to correſpond with the Agent of this Colony, which was read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* of *Lucy Galt*, praying ſome Allowance for cleaning the Rooms in the Capitol, appropriated to the Uſe of the Houſe of Burgeſſes, was preſented to the Houſe and read.

Reſolved

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[1] Hening, VII, p. 643.
[2] *Ibid.*, VII, p. 656.
[3] *Ibid.*, VII, p. 656.
[4] *Ibid.*, VII, p. 648.
[5] *Ibid.*, VII, p. 650.
[6] *Ibid.*, VII, p. 646.
[7] *Ibid.*, VII, p. 657.
[8] *Ibid.*, VII, p. 643.
[9] *Ibid.*, VII, p. 643.
[10] *Ibid.*, VII, p. 658

Reſolved, That the ſaid *Lucy Galt* be paid by the Publick £5 for the Services in the ſaid Petition mentioned.

On a *Motion* made,

A *Bill* For adding ſundry Perſons to the Committee appointed to correſpond with the Agent of this Colony, was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Bill, *entitled*, An Act[1] to empower the Common Hall of the Borough of *Norfolk* to aſſeſs ſuch Taxes, from Time to Time, on the Inhabitants thereof, as ſhall be ſufficient for keeping and ſupporting a nightly Watch, and erecting Lamps, within the Limits of the ſame.

Alſo to the Bill, *entitled*, An Act[2] for paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly. *And*

Alſo to the Reſolve For allowing *Joſeph Royle £350* a Year, for the Purpoſes therein mentioned.

An engroſſed *Bill*, entitled, *An Act[3] for adding ſundry Perſons to the Committee appointed to correſpond with the Agent of this Colony*, was read a third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Cary* do carry up the ſaid Bill to the Council for their Concurrence.

29 Mr *Cary*, from the Perſons appointed, reported that they had had under their Conſideration the Petitions of *Edward Hubbard* and *James Gunn* to them referred, and had agreed upon a Report, and come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

On Conſideration of the ſaid *Petitions*, it appears that the ſaid *Edward Hubbard* and *James Gunn* were Captains of Companies of Artificers eſtabliſhed by Act of Aſſembly in the Year 1759; that they were employed the Campaign under General *Stanwix* from the 1ſt of *June* to the 10th of *December*, when they were diſbanded at *Wincheſter;* and that they have not received the uſual additional Pay of Artificers for the Time above mentioned.

Reſolved, That the Conſideration of the ſaid Petition, ſo far as it relates to the Claim of *Edward Hubbard* for the ſaid additional Pay due to his Company of Artificers, be referred to the next Seſſion of Aſſembly, no one now appearing with the Accounts or Vouchers for the ſaid Claim.

Reſolved, That it appears to this Committee, from the Pay Rolls, that there is due to Captain *James Gunn*, for the additional and uſual Pay for his Company as Artificers, the Sum of £508. 4. 8, including £55. 1. 6 for Pay for himſelf and Officers.

Reſolved, That the Sum of £453. 3. 2 ought to be allowed to the ſaid *James Gunn* for his Company's Pay, and that he ſhall be obliged to account for the Diſburſements of the ſame, upon Oath, and produce the Diſcharges of the ſeveral Claimants, to the next Seſſion of Aſſembly.

Ordered, That the laſt Reſolution be fairly engroſſed, and that Mr *Cary* do carry it up to the Council for their Concurrence.

On a *Motion* made,

Reſolved, That the Captains *John Field* and *John Poſey* lay an Account, upon Oath, of the Money they received laſt Seſſion for their Companies of Artificers, with the proper Vouchers of their having paid the ſame, before the next Seſſion of Aſſembly.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Bill, *entitled*, An Act[4] for adding ſundry Perſons to the Committee appointed to correſpond with the Agent of this Colony.

Alſo

[1] Hening, VII, p. 654. [2] *Ibid.*, VII, p. 658. [3] *Ibid.*, VII, p. 646. [4] *Ibid.*, VII, p. 646.

Alſo to the Reſolve *of this Houſe* To allow *Lucy Galt* £5 for the Services therein mentioned.

Ordered, That there be a Call of the Houſe Tomorrow.
And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Tuesday, the 31st of May. 3 Geo. III. 1763.

A *Meſſage* from the Council by Mr *Walthoe.*

That they have agreed to the Reſolve *For paying* James Gunn £453. 3. 2, *for the Purpoſes therein mentioned.*

Mr *Wythe* reported that the Committee appointed had, according to Order, examined the enrolled Bills and Reſolves, and rectified ſuch Miſtakes as were found therein; and that they were truly enrolled.

Ordered, That Mr *Wythe* do carry up the ſaid Bills and Reſolves to the Council for their Inſpection.

A *Meſſage* from the Council by Mr *Walthoe.* 30

That they have inſpected the enrolled Bills and Reſolves, and are ſatiſfied they are truly enrolled.

A *Meſſage* from the Governour by Mr *Walthoe.*

Mr *Speaker*,

The Governour commands the immediate Attendance of this Houſe in the Council Chamber, and that you bring with you ſuch Bills and Reſolves as are ready for his Aſſent.

Mr *Speaker*, with the Houſe, went up accordingly, and the Governour was pleaſed to give his Aſſent to the following Bills:

1. *An Act*[1] *for continuing and appropriating the additional Duty on Slaves, and the Taxes on Wheel Carriages, Ordinary Licenſes, and original Proceſs, and for other Purpoſes therein mentioned.*

2. *To repeal and Act, entitled, An Act*[2] *for Relief of inſolvent Debtors, for the effectual Diſcovery and more equal Diſtribution of their Eſtates.*

3. [3]*For eſtabliſhing a better Method of appointing Sheriffs.*

4. [4]*For further continuing and amending the Act, entitled, An Act for the better regulating and collecting certain Officers Fees, and for other Purpoſes therein mentioned.*

5. [5]*To reduce the Duty on Northern Rum.*

6. [6]*For adding ſundry Perſons to the Committee appointed to correſpond with the Agent of this Colony.*

7. [7]*For giving the Sheriffs a more effectual Remedy againſt their Under Sheriffs, and Securities, for Monies received by them for his Majeſty's Quitrents, and on Executions and other Proceſs.*

8. [8]*For amending the Act, entitled, An Act for enlarging the Towns of Frederickſburg and Wincheſter, the City of Williamſburg, and Towns of Dumfries, and for other Purpoſes therein mentioned.*

9. [9]*To empower the Common Hall of the Borough of Norfolk to aſſeſs, ſuch Taxes, from Time to Time, on the Inhabitants thereof, as ſhall be ſufficient for keeping and ſupporting a nightly Watch, and erecting Lamps, within the Limits of the ſame.*

10. [10]*For altering the Court Days of the Counties of Stafford and Cheſterfield.*

11. [11]*For altering the Court Day of the County of Glouceſter.*

To

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[1] Hening, VII, p. 639.
[2] *Ibid.*, VII, p. 643.
[3] *Ibid.*, VII, p. 643.
[4] *Ibid.*, VII, p. 645.
[5] *Ibid.*, VII, p. 646.
[6] *Ibid.*, VII, p. 646.
[7] *Ibid.*, VII, p. 648.
[8] *Ibid.*, VII, p. 650.
[9] *Ibid.*, VII, p. 653.
[10] *Ibid.*, VII, p. 656.
[11] *Ibid.*, VII, p. 656.

12. [1]*To empower John Richards, Gentleman, to keep a Ferry to and from the Town of Leeds, in the County of King George.*

13. [2]*For paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly.*

Alſo to the following Reſolves:

1. *For allowing ſome of the Officers and Soldiers of the late Virginia Regiment the ſeveral Sums therein mentioned.*

2. *For paying James Gunn £453. 3. 2, for the Purpoſes therein mentioned.*

3. *For paying Lucy Galt £5, for the Services therein mentioned.*

4. *For allowing the Officers of the General Aſſembly the ſeveral Sums therein mentioned.*

5. *For allowing Joſeph Royle £350 a Year, for the Purpoſes therein mentioned.*

And then cloſed the Seſſion with the following Speech:

31

Gentlemen of the Council, Mr Speaker, and Gentlemen of the Houſe of Burgeſſes,

When I called you together, to lay before you the Reſolutions of the Right Honourable the Lords Commiſſioners for Trade and Plantation Affairs, founded on a Memorial of the Merchants of Great Britain *trading to this Colony, preſented to their Lordſhips, I hoped and expected that you would, by ſome Acts or Reſolves, have removed all future Cauſe of Complaint from the Merchants, and given full Satiſfaction to their Lordſhips in all the Points recommended to your Conſideration.*

By the State of the Accounts of the Treaſury, and the Taxes laid to ſink all the various Emiſſions of Paper Money at the Times ſtipulated in the ſeveral Acts empowering the Treaſurer to iſſue ſuch Notes, I muſt candidly acknowledge that the Taxes do appear to me to be fully ſufficient to anſwer the Ends propoſed; but, let this be granted: What Objection could there have been to your having bound yourſelves, by a formal Reſolve of the whole Legiſlature, to have provided for a full Payment of all the Notes outſtanding, by ſome additional Tax adequate to the Purpoſe, in Caſe of any accidental or unexpected Deficiency of thoſe now in Being? This you might have done with the utmoſt Safety; for if the Taxes already laid ſhould prove ſufficient, no new Burthen would have been laid on the People; and if they ſhould not, your Honour ſtands engaged to make up all Deficiences, however occaſioned: And then it would have remained with you to have conſidered whether the Legality of the Tender of Paper Notes, after ſuch Stability and Security given to them, might not have been taken off without riſking the Ruin and Deſtruction of the Colony, ſo much dreaded, as the Conſequence of removing it.

Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

I will not omit the firſt Opportunity to tranſmit to the Right Honourable the Board of Trade the Reaſons you have thought expedient to give for your Actions, and your Reſolutions conſequent thereon, in your Addreſs to me; which I wiſh may give that Content which you ſo ſanguinely expect from them.

Gentlemen of the Council and of the Houſe of Burgeſſes,

It is my moſt ſincere Wiſh that the Steps you have taken may prove ſatiſfactory, not only to the Right Honourable the Lords of Trade, but even to the Merchants themſelves, and remove all their Complaints of Injuſtice having been done them heretofore, and their Fears of what may be done hereafter; for you may be aſſured that our moſt gracious Sovereign, the common Father of all his People, will take effectual Care to redreſs the Grievances of his Subjects, whenever their Complaints can reach the royal Ears.

Having Nothing further to expect from you in this Seſſion, I ſhall now prorogue you, and you are accordingly prorogued, to the third Tueſday *in* Auguſt *next.*

[1] Hening, VII, p. 657. [2] *Ibid.*, VII, p. 658.

JOURNAL

of the

HOUSE OF BURGESSES

1764

January Seſſion

Burgeſſes.

Accomac	*Thomas Parramore *Southey Simpſon
Albemarle	Thomas Walker *John Fry
Amelia	*David Greenhill *Thomas Tabb
Amherſt	*William Cabell *Cornelius Thomas
Auguſta	Iſræl Chriſtian John Wilſon
Bedford	*William Callaway *John Talbot
Brunſwick	*William Thornton *Iſaac Rowe Walton
Buckingham	Robert Bolling, Jr. *Joſeph Cabell
Caroline	*John Baylor Edmund Pendleton
Charles City	Benjamin Harriſon *William Kennon
Cheſterfield	Archibald Cary *Richard Eppes
The College	*Mann Page
Culpeper	John Field James Barbour
Cumberland	*George Carrington John Fleming
Dinwiddie	*Robert Bolling Leonard Claiborne, Jr.
Elizabeth City	George Wythe *William Wager
Eſſex	*John Upſhaw *John Lee
Fairfax	*George Johnſton *John Weſt
Fauquier	*Thomas Harriſon *Thomas Marſhall
Frederick	*George Waſhington *George Mercer
Glouceſter	Thomas Whiting John Page
Goochland	*John Payne *Joſias Payne
Halifax	*Nathaniel Terry *Robert Wade
Hampſhire	*James Mercer *Thomas Rutherford
Hanover	*Nathaniel Weſt Dandridge *John Syme
Henrico	Bowler Cocke *Philip Mayo
Iſle of Wight	*James Bridger *Dolphin Drew
James City	*Lewis Burwell *Philip Johnſon
Jameſtown	*Edward Champion Travis
King & Queen	*John Pendleton John Robinſon
King George	Charles Carter *Charles Carter, Jr.
King William	*Bernard Moore *Carter Braxton
Lancaſter	Charles Carter Richard Mitchell
Loudoun	*Francis Lightfoot Lee *James Hamilton
Louiſa	*William Johnſon Thomas Johnſon
Lunenburg	*Henry Blagrave *Clement Reade, Jr.
Middleſex	*John Smith *Ralph Wormeley
Nanſemond	*Willis Riddick Lemuel Riddick
New Kent	*Burwell Baſſett *Richard Adams
Norfolk	William Bradley *Thomas Veal
Norfolk Borough	*Joſeph Hutchings
Northampton	*John Harmanſon *Thomas Dalby
Northumberland	*Richard Hull *Spencer Ball
Orange	James Taylor James Walker
Prince Edward	*Peter Legrand *Abner Naſh
Prince George	Richard Bland *Richard Bland, Jr.
Prince William	John Baylis Henry Lee
Princeſs Anne	*Edward Hack Moſeley *Anthony Walke

*Not ſhown by the Journal to have been preſent during the Aſſembly.

Richmond	*John Woodbridge *Landon Carter	Suffex	*David Mafon *John Edmunds
Southampton	Joſeph Gray *Benjamin Symmons	Warwick	*William Digges *William Harwood
Spotſylvania	Fielding Lewis Benjamin Grymes	Weſtmoreland	Richard Henry Lee Richard Lee
Stafford	William Fitzhugh Thomas L. Lee	Williamſburg	Peyton Randolph
Surry	*Hartwell Cocke *William Bailey	York	*Dudley Digges *Thomas Nelson, Jr.

*Not ſhown by the Journal to have been preſent during the Aſſembly.

Changes in the Perſonnel, 1764.

January Seſſion

Iſle of Wight	Dolphin Drew Succeeded Joſeph Bridger
Hanover	James Littlepage Succeeded Nathaniel Weſt Dandridge

JOURNAL

of the

HOUSE OF BURGESSES

Thursday, the 12th of January, 4 Geo. III. 1764.

A *Meſſage* from the Governour was delivered by Mr *Walthoe*.

Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

The Governour commands the immediate Attendance of your Houſe in the Council Chamber.

Accordingly Mr *Speaker*, with the Houſe, went up to attend the Governour.

And being returned, reported that the Houſe had attended the Governour in the Council Chamber, and that he was pleaſed to make a Speech to the Council and this Houſe, of which he had, to prevent Miſtakes, obtained a Copy; which he read in his Place, and afterwards delivered in at the Table, where it was again read, and is as follows:

Gentlemen of the Council, Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

My principal Reaſon for convening you to meet me in General Aſſembly, in this inclement Seaſon of the Year, was to lay before you a Letter I received from Sir Jeffery Amherſt, *before he left this Continent to receive at home thoſe Honours which his Conduct here had merited, requiring the Aſſiſtance of 500 Men from this Colony to act offenſively againſt the* Indians, *in Conjunction with a Body of Regulars, under the Orders of the Commander in Chief for the ſouthern Diſtrict. This Requiſition has been repeated by the Hon. Major General* Gage, *on whom the Command in Chief of his Majeſty's Troops on this Continent is devolved.*

I make no Doubt but that you will think it neceſſary to provide for the Security of your own Frontiers for the enſuing Year, in ſome Manner or other, againſt the Incurſions and Depredations of the Indians; *and it reſts with you to conſider whether the Plan propoſed at firſt by ſo able a General, and ſince recommended by a Gentleman to whom we owe our firſt Succeſſes in* America, *is not more likely effectually to anſwer that Purpoſe, by marching into the Enemies Country, than by waiting at home to revenge yourſelves when they think proper to enter yours, and commit all Kinds of Outrages and Murders.*

4 *The Manner in which I have endeavoured to defend the back Inhabitants, in Conſequence of the Power entruſted to me by the Invaſion Law, have proved, I fear, extremely expenſive; and this Conſideration has been a ſecond very weighty Motive with me for deſiring to meet you at this Time, that you may deliberate on theſe Matters with all the Attention which the Importance of them demands. The grievous Complaints from the back Country, and the frequent Appearance of large Parties of* Indians *in this Colony, together with the daily Accounts of Murders committed in the neighbouring Ones, induced me, by and with the Advice of his Majeſty's Council, to call out a large Number of the Militia to protect our Settlements; the Direction of which was put into the Hands of two Officers who had diſtinguiſhed themſelves in the Service of their Country, while our Regiment ſubſiſted. This Number, as the Danger decreaſed, was reduced to 500, and would have undergone another Reduction, if not a total Diſcharge, had it not been reſolved to call an Aſſembly, in which*

I thought it highly proper you ſhould determine for yourſelves what Meaſures you would for the future purſue, in Times of ſuch Danger and Diſtreſs.

I cannot quit this Subject without doing Juſtice both to the Officers and private Men of the Militia, by thus publickly teſtifying my great Approbation of their Conduct and Courage, and recommending them to you for Payment, in the moſt ſpeedy Manner the Laws and Conſtitution of your Country will admit of, in Recompenſe of their Services, by which they have done Credit to the Colony in general, and great Honour to themſelves in particular.

It is with the greateſt Pleaſure I am enabled to inform you that I have the fulleſt Perſuaſion that you have Nothing to fear from the Indians *to the South Weſt, their Behaviour at the late Congreſs carrying all the Marks of a firm Attachment to our Intereſt; and if we conduct ourſelves agreeably to the well concerted Plan of his Majeſty, and his Miniſters, to cultivate the Friendſhip of the* Indians *on our Parts, I have great Reaſon to hope that we ſhall have no Occaſion to complain of Perfidy on theirs, but that the Peace now confirmed between us will be ſolid and permanent from that Quarter. It may be neceſſary to take all poſſible Precautions, leſt our Hunters, by Miſtake, ſhould fall upon the* Cherokees, *who are going this Summer to make War upon the northern* Indians, *their Enemies as well as ours. Copies of the Journal of the Proceedings of the Congreſs at* Auguſta *are now printing at* Charleſtown; *which I expect to receive very ſoon, and which I will communicate to you by the firſt Opportunity after my receiving the ſame.*

Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

I am ſenſible that the Expenſes already incurred are very great, and yet it may be prudent for you to increaſe them, by guarding your Frontiers from Attacks by the northern Indians. *This is a Burthen which will lie heavy on the People, but which I hope they will bear with Cheerfulneſs, as their Security ſo abſolutely depends upon it. In providing for it, I rely on your Wiſdom that you will do it in ſuch a Manner as will make it as eaſy as the Nature of the Thing can admit of to them, and will give no Cauſe of Diſcontent either in* Great Britain *or* Virginia.

Gentlemen of the Council and of the Houſe of Burgeſſes,

Since my laſt meeting you, I have received an Order from his Majeſty in Council, declaring his Diſallowance and Repeal of an Act, entitled, An Act for the Relief of inſolvent Debtors, &c. by which you will ſee the Expediency of your having repealed that Act, before the Day on which it was to have taken Place, or could operate to the Diſadvantage of any Perſon whatever. The Matter offered to your Conſideration is of Importance, but may be gone through with Deſpatch, which I would recommend to you, that you may ſoon return to your own Families, unleſs you ſhould chooſe to go upon ſuch Buſineſs of the Country as is ready for you.

Reſolved, That an humble Addreſs be preſented to his Honour the Governour, to return him the Thanks of this Houſe for his Speech; to aſſure him that we have obſerved, with the greateſt Concern, the Cruelties exerciſed by the *Indians* on our frontier Inhabitants; that we will take every Meaſure in our Power to protect them for the future; and that we will proceed to the Conſideration of the ſeveral other Matters recommended to us by his Honour with the utmoſt Attention and Deſpatch.

Ordered, That a Committee be appointed to draw up an Addreſs to the Governour, purſuant to the ſaid Reſolution; and it is referred to Mr *Attorney* and Mr *Edmund Pendleton* to prepare and bring in the ſame.

Mr *Speaker* reported that the Governour had delivered to him two Letters from his Excellency Sir *Jeffery Amherſt* and General *Gage*, mentioned in his Speech, which he had deſired him to lay before the Houſe.

And the ſaid *Letters* were read, and ordered to lie on the Table.

Reſolved, That this Houſe will take the Governour's Speech into Conſideration Tomorrow.

Ordered

Ordered, That the Rev. Mr *William Yates* be continued Chaplain to this Houſe, and that he attend to read Prayers every Morning at 11 o'Clock.

Ordered, That the ſeveral Doorkeepers be continued in their reſpective Offices, and that they give their Attendance accordingly.

On a *Motion* made,

Ordered, That the Committee appointed to correſpond with the Agent of this Colony, in *Great Britain*, purſuant to an Act of Aſſembly For appointing an Agent, do lay the Agent's Letters, received ſince the Meeting of the laſt Seſſion of Aſſembly, before the Houſe.

On a *Motion* made,

Ordered, That an Addreſs be made to his Honour the Governour, to order a new Writ to iſſue for the electing a Burgeſs to ſerve in this preſent General Aſſembly for the County of *Hanover*, in the Room of Mr *Dandridge*, who ſince his Election hath accepted of the Office of Coroner of the ſaid County, and that Mr *Syme* do wait upon him with the ſaid Addreſs.

On a *Motion* made,

Ordered, That an Addreſs be made to his Honour the Governour, to order a new Writ to iſſue for the electing a Burgeſs to ſerve in this preſent General Aſſembly for the County of *Iſle* of *Wight*, in the Room of Mr *Joſeph Bridger*, who ſince his Election hath accepted of the Office of Sheriff of the ſaid County, and that Mr *Lemuel Riddick* do wait upon him with the ſaid Addreſs.

And then the Houſe adjourned until To-morrow Morning 12 o'Clock.

Friday, the 13th of January, 4 Geo. III. 1764.

SEVERAL *Claims* of *William Edwards*, *Bernard Markham*, *William Gary*, *John Phillips*, *George Bernick*, *Nimrod Poindexter*, *William Reeves*, *Lydall Bacon*, *Charles Turner*, *William Markham*, *William Clayton*, and *Thomas Edward*, for taking up ſeveral Runaways therein mentioned, were preſented to the Houſe and received.

Ordered, That the ſaid Claims be referred to the Conſideration of the next Seſſion of Aſſembly.

Mr *Attorney*, from the Committee of Correſpondence, laid before the Houſe the Agent's Letters, agreeable to the Order of Yeſterday.

And the ſaid *Letters* were read, and ordered to lie on the Table.

The *Order* of the Day being read for the Houſe to take into Conſideration the Governour's Speech.

Reſolved, That this Houſe will reſolve itſelf into a Committee on the ſaid Speech.

Ordered, That the Generals Letters laid before the Houſe Yeſterday, by Command of his Honour the Governour, and the Agent's Letters this Day, be referred to the Conſideration of the ſaid Committee.

And then the Houſe reſolved itſelf into the ſaid Committee on the ſaid Speech and Letters; and after ſome Time ſpent therein Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had had the ſaid Speech and Letters under their Conſideration, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That the Militia employed in the laſt Year, and now in actual Service, ought to be paid out of the Money granted by the Parliament of *Great Britain* to this Colony.

Reſolved, That an humble Addreſs be preſented to his Honour the Governour, to acquaint him that we have had under our Conſideration that Part of his Speech which relates to the Requiſition of his Excellency General *Amherſt*, repeated by the Honourable Major General *Gage;* and to inform him that though we conſider ourſelves under the higheſt

higheſt Obligations to defend our Frontiers from *Indian* Incurſions, yet our Inability to advance ready Money for the raiſing and maintaining the Body of Men, required by his Majeſty's Generals, obliges us rather to chooſe that Method of Defence which is to be obtained from a brave and well appointed Militia.

Ordered, That a Bill of Bills be brought in purſuant to the firſt Reſolution; and it is referred to Mr *Attorney*, Mr *Bland*, Mr *Edmund Pendleton*, and Mr *Richard Henry Lee*, to prepare and bring in the ſame.

Ordered, That an Addreſs be bfought in purſuant to the ſecond Reſolution; and it is referred to the laſt mentioned Gentlemen to prepare and bring in the ſame.

A *Petition* of ſundry Freeholders and Inhabitants of the County of *Weſtmoreland*, praying that the Warehouſe for the Inſpection of Tobacco on the ſouth Side of the River *Nomony*, in the ſaid County, which is in a very ruinous Condition, be diſcontinued; and that a new Warehouſe may be built and eſtabliſhed lower down the River, on the Land of *William Flood*, the Proprietor of the old One; was preſented to the Houſe and read.

Ordered, That a Bill or Bills be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Richard Henry Lee* and Mr *Richard Lee* to prepare and bring in the ſame.

And then the Houſe adjourned until To-morrow Morning 12 o'Clock.

Saturday, the 14th of January, 4 Geo. III. 1764.

A *Petition* of the Miniſter, Churchwardens, Veſtrymen, and other Inhabitants of the Pariſh of *Elizabeth River*, in the County of *Norfolk*, praying that an Act may paſs to empower the Veſtry of the ſaid Pariſh to purchaſe convenient Lots of Land in the ſaid Borough, and to erect ſuch Buildings thereon as is by Law directed to be built on Glebes in this Colony, for the Uſe of the Miniſter of the ſaid Pariſh; and alſo to levy on the Inhabitants thereof a certain Sum of Money annually, to be paid to the Miniſter in Lieu of the other Advantages he might receive from ſuch Glebe as might or could be purchaſed in the ſaid Pariſh of *Elizabeth River;* and alſo to levy on the Inhabitants of the ſaid Pariſh ſuch a Sum of Money annually as this Houſe ſhall think reaſonable, to be paid to the Miniſter of the ſaid Pariſh for the Time being, in Lieu of his Salary now levyable in Tobacco; was preſented to the Houſe and read. 7

Ordered, That a Bill or Bills be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Bradley* and Mr *Bland* to prepare and bring in the ſame.

Mr *Attorney* reported that the Committee appointed had, according to Order, prepared an Addreſs to the Governour; which he read in his Place, and then delivered in at the Table, where the ſame was again twice read, and agreed to by the Houſe, and is as follows:

Sir,

We his Majeſty's dutiful and loyal Subjects, the Burgeſſes of Virginia, *now met in General Aſſembly, return you our ſincere Thanks for your kind Speech at the Opening of this Seſſion. Permit us at the ſame Time to congratulate your Honour on the happy Concluſion of the Treaty with the ſouthern* Indians, *and on your ſafe Return to the Government of an affectionate People.*

We feel, very ſenſibly, the Diſtreſſes of our Fellow Subjects, who have been expoſed to the Incurſions and Depredations of our ſavage Enemy; and ſhall think it our Duty to take Care of their Protection and Security, in the beſt Manner our Circumſtances will admit of.

We cannot omit, on this Occaſion, expreſſing the Pleaſure we receive from the Behaviour of the Militia, whoſe Conduct and Bravery we are ſatiſfied prevented the Barbarians from extending

extending the diſmal Scenes of Outrage and Murder: Such ſignal Services demand of us to provide for their Payment, in the moſt ſpeedy and ſatiſfactory Manner.

This, with the other Matters recommended to us by your Honour, we will proceed to conſider with the greateſt Attention and Deſpatch.

Ordered, That the Committee who prepared the ſaid Addreſs do wait on his Honour the Governour to know his Pleaſure when he will receive the ſame.

A *Petition* of *Bernard Moore*, ſetting forth that in the Year 1761 an Act of Aſſembly was paſſed empowering him, or the acting Executor of the Will of *John Spotſwood*, Eſq; deceaſed, or the Guardians of his Children for the Time being, to apply the Profits of all his Eſtate, as well that which he held in Taille, under the Will of his Father Major
8 General *Alexander Spotſwood*, as his Fee Simple Eſtate, towards the Payment of his Debts, and thoſe due from his ſaid Father, in Order to preſerve his ſmall Fee Simple Eſtate for the Benefit of his younger Son.

That having accordingly applied the Profits, after maintaining the Children, to that Uſe, a large Sum of the Debts have been diſcharged, but there ſtill remains about £9000 unpaid, which, with the Intereſt thereof, cannot be paid in many Years; and the Creditors, hitherto indulgent, refuſe to wait for ſuch ſlow Payment, but threaten to levy Executions on the Fee Simple Eſtate of the ſaid *John Spotſwood*, conſiſting chiefly in Slaves, without whom, the Iron Works, the moſt valuable Part of the entailed Eſtate, cannot be carried on; ſo that by this Means the Proviſion made for the ſaid younger Son will be taken away, the carrying on the Iron Works impeded, and the ſalutary Purpoſes of the ſaid Act wholly defeated: And, at the ſame Time, the Creditors will not be paid their Debts without the tedious and expenſive Remedy of a Suit in Chancery, to charge the entailed Eſtate with the ſame.

That he conceives it will therefore be for the Benefit of the Heir, younger Son and Creditors, to ſell ſome of the entailed Lands to pay off the moſt preſſing Creditors, and reduce the Debts to a moderate Sum that may be paid off in a reaſonable Time, in the Method directed by the ſaid Act.

He having publiſhed due Notice of his Intention, according to the Royal Inſtructions and praying that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Ordered, That a Bill or Bills be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Edmund Pendleton* to prepare and bring in the ſame.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To empower the Veſtry of the Pariſh of *Bath*, in the County of *Dinwiddie*, to ſell their Glebe, and to purchaſe one more convenient; and it is referred to Mr *Claiborne* to prepare and bring in the ſame.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To empower the Common Hall of the City of *Williamſburg* to aſſeſs ſuch Taxes, from Time to Time, on the Inhabitants thereof, as ſhall be ſufficient to anſwer all Charges and Expenſes for publick Buildings and other Conveniences.

A *Petition* of divers Inhabitants of the County of *Auguſta*, praying that an Act may paſs for opening and clearing a Road over the Mountains, from the Mouth of *Rockfiſh* Gap, in the ſaid County, and to empower the Court of the ſaid County to levy on ſuch of the Inhabitants of the ſame as they ſhall think will be principally benefited thereby ſo much Money as will be ſufficient to open and clear the ſame, was preſented to the Houſe and read.

Ordered, That a Bill or Bills be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Chriſtian* and Mr *Wilſon* to prepare and bring in the ſame.

A *Petition* of *Hancock Euſtace*, late a Captain in the *Virginia* Forces, ſetting forth that he hath ſuffered many conſiderable Loſſes in the Service, particularly in the Campaign of 1758, when Fort *Du Queſne* was reduced, he loſt his Tent, Baggage, and all his military Stores, the uncommon Badneſs of the Weather, and Want of Horſes, prevented him bringing them away; and humbly praying, from the Wiſdom and Goodneſs

of

of the Houſe, that amidſt the various Inſtances of their Bounty, he will not be ſuffered to remain the only Officer that has never been conſidered and rewarded by his Country; and praying the Conſideration of the Houſe therein, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be refered to Mr *Richard Henry Lee*, Mr *Edmund Pendleton*, and Mr *Benjamin Harriſon;* that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Petition* of *Charles Carter*, Eſq; ſetting forth that he is ſeized in Fee Taille of 310 Acres of Land, commonly called *Norman's Ford*, in the Pariſh of *St. Mark*, in the County of *Culpeper*.

That he is alſo ſeized in Fee Simple of 1100 Acres of Land in the Pariſh of *Brunſwick*, in the County of *King George*.

That he is adviſed it would be greatly to the Advantage of himſelf, and the Heir in Taille, if he was allowed to dock the Entail of the ſaid Lands in *Culpeper*, and to ſettle the Lands in *King George* in Lieu thereof, to the ſame Uſes; and praying that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Ordered, That a Bill or Bills be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Bland* to prepare and bring in the ſame.

A *Petition* of *William Cary*, ſetting forth that he is ſeized as Tenant in Fee Taille, under the Will of his Grandfather *William Cary*, deceaſed, of and in 360 Acres of Land, in the County of *Warwick*.

That he has reſided on the ſaid *Lands* for many Years paſt without any Slaves to cultivate it, whereby he has been a great Sufferer, and therefore has been adviſed that it would be greatly to the Advantage of himſelf, and the Heir in Taille, if he was permitted to ſell the ſaid Lands, and lay out the Money ariſing from the Sale thereof partly in Lands, and the Reſt in Slaves, to be ſettled thereon, and to deſcend with the ſame; and he has lately contracted with one *Allen Jones* to ſell the ſaid Lands to him for a very conſiderable Sum, if an Act of Aſſembly could be procured to enable him ſo to do; and praying that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Ordered, That a Bill or Bills be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Edmund Pendleton* to prepare and bring in the ſame.

Mr *Pendleton* preſented to the Houſe, according to Order, a Bill To direct the Sale of certain entailed Lands whereof *John Spotſwood*, Eſq; died ſeized, for Payment of the Debts due from him, and the Eſtate of Major General *Alexander Spotſwood;* which was read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* of the Juſtices, Lawyers, and Clerk, of the County of *Lancaſter*, praying that the Court Day of the ſaid County may be altered from the third *Friday* to the third *Wedneſday* in every Month, and that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Ordered, That a Bill or Bills be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Cary* to prepare and bring in the ſame.

A *Petition* of *Henry Timberlake*, praying that he may be allowed his Expenſes in conducting a Party of upwards of 70 *Indians* from the *Cherokee* Country to *Williamſburg*, by Order of his Honour the Governour, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to Mr *Richard Henry Lee*, Mr *Edmund Pendleton*, and Mr *Benjamin Harriſon;* that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Petition* of the *Nottoway* and *Nanſemond* Indians, praying that an Act may be paſſed to enable them to ſell certain of their Lands, and the Money ariſing therefrom, after paying their Debts, to go towards furniſhing them with the common Neceſſaries of Life, was preſented to the Houſe and read.

Ordered, That a Bill or Bills be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Gray* to prepare and bring in the ſame.

A *Claim* of *William Pegram*, for taking up a Runaway therein mentioned, was preſented to the Houſe and received.

Ordered

Ordered, That the ſaid Claim be referred to the Conſideration of the next Seſſion of Aſſembly.

A *Repreſentation* and Petition of *William Winſton*, praying ſome Compenſation for the Loſſes he has ſuſtained from a Number of barbarous and ſavage *Indians*, who ſome Time in the Month of *July* laſt violently attacked him in his Houſe, from which he narrowly eſcaped with his Life, and carried away or deſtroyed all his Stocks and houſehold Goods, to a great Value, and 14 Slaves, none of which he has been able to reclaim, except one, who found Means to eſcape, and him he has ſince been obliged to ſell in Order to ſubſiſt himſelf and Family hitherto; at preſent he is reduced from an eaſy independent Plenty to the deplorable Condition of having Nothing to ſubſiſt on, in an advanced Age, and infirm State of Health, and therefore wholly unable to labour, was preſented to the Houſe and read; and the Queſtion being put that the ſaid Petition be referred to a Committee,

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

And then the Houſe adjourned until Monday Morning 12 o'Clock.

Monday, the 16th of January, 4 Geo. III. 1764.

MR *Bradley*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill To empower the Veſtry of the Pariſh of *Elizabeth River*, in the County of *Norfolk*, to purchaſe and improve Lots in the Borough of *Norfolk* for the Uſe of the Miniſter, inſtead of a Glebe, and to pay their Miniſter's Salary in Money inſtead of Tobacco; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Bland*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill To dock the Entail of certain Lands whereof *Charles Carter*, Eſq; is ſeized, and for ſettling other Lands of greater Value to the ſame Uſes; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Claiborne*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill To empower the Veſtry of the Pariſh of *Bath*, in the County of *Dinwiddie*, to ſell their Glebe, and purchaſe a more convenient One; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Chriſtian*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill For opening and clearing a Road through *Rockfiſh* Gap over the Mountains; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Attorney*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill For appointing Commiſſioners to examine and ſtate the Accounts of the Militia lately ordered out into actual Service, and for other Purpoſes therein mentioned; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

11 Mr *Attorney* alſo reported that the Committee appointed had, according to Order, waited on his Honour the Governour, to know his Pleaſure when this Houſe ſhould attend him with their Addreſs, and that he was pleaſed to appoint this Day, and to ſay he would ſend a Meſſage to the Houſe when he was ready to receive it.

Mr *Attorney* alſo preſented to the Houſe, according to Order, a Bill To empower the Corporation of the City of *Williamſburg* to aſſeſs Taxes on the Inhabitants thereof for the Purpoſes therein mentioned, and for repealing a certain Act of Aſſembly therein alſo mentioned; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Richard Henry Lee* preſented to the Houſe, according to Order, a Bill For diſcontinuing the Warehouſes on the ſouth Side of *Nomony* River, and eſtabliſhing others at a more convenient Landing; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Cary*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill For altering the Court day of the County of *Lancaſter;* and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Gray* preſented to the Houſe, according to Order, a Bill To enable the *Nottoway* and *Nanſemond* Indians to ſell certain Lands belonging to them, and for other Purpoſes therein mentioned; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Pendleton* preſented to the Houſe, according to Order, a Bill To veſt certain entailed Lands whereof *William Cary* is ſeized, in *Allen Jones*, in Fee Simple, and for ſettling other Lands and Slaves to be purchaſed in Lieu thereof; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Sundry *Claims* of *James Small*, *William Hanſbrough*, *James Jones*, and *Thomas Cooper*, for taking up Runaways therein mentioned, were preſented to the Houſe and received.

Ordered, That the ſaid Claims be referred to the Conſideration of the next Seſſion of Aſſembly.

On a *Motion* made,

Ordered, That the Petition of *Edward Hubbard*, referred from the laſt to this preſent Seſſion of Aſſembly, be referred to Mr *Archibald Cary*, Mr *Benjamin Cocke*,[1] Mr *Edmund Pendleton*, and Mr *Benjamin Harriſon;* that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Bill* To direct the Sale of certain entailed Lands whereof *John Spotſwood*, Eſq; is ſeized, for Payment of the Debts due from him, and the Eſtate of Major General *Alexander Spotſwood*, was read a ſecond Time, and committed to Mr *Edmund Pendleton*, and the Members of *Spotſylvania*, *Orange* and *Culpeper*.

A *Bill* To veſt certain entailed Lands whereof *William Cary* is ſeized, in *Allen Jones*, in Fee Simple, and for ſettling other Lands and Slaves to be purchaſed in Lieu thereof, was read a ſecond Time, and committed to Mr *Edmund Pendleton*, and Members of *Warwick*, *York*, *James City*, and *Elizabeth City*.

Alſo a *Bill* To dock the Entail of certain Lands whereof *Charles Carter*, Eſq; is ſeized, and for ſettling other Lands of greater Value to the ſame Uſes, was read a ſecond Time, and committed to Mr *Bland*, and the Members of *Culpeper*, *Stafford*, and *Prince William*.

A *Petition* of ſeveral Ordinary Keepers of *York* and the City of *Williamſburg*, ſetting forth that the Act entitled, *An Act*[2] *for regulating Ordinaries, and Reſtraint of Tippling Houſes*, as it now ſtands, is become grievous and burthenſome, laying the Petitioners under a Neceſſity of either affronting their beſt Cuſtomers, and thereby loſing their Buſineſs, or being in Danger of Ruin by the Loſs of their Debts, which they can neither hinder others from contracting with them, nor afterwards receive by due Courſe of Law; and praying that the ſaid Act may be amended, or ſuch other Redreſs as this honourable Houſe ſhall think fit, was preſented to the Houſe and read; and the Queſtion being put that the ſaid Petition be referred to a Committee, 12

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

A *Bill* To empower the Veſtry of the Pariſh of *Elizabeth River*, in the County of *Norfolk*, to purchaſe and improve Lots in the Borough of *Norfolk* for the Uſe of the Miniſter, inſtead of a Glebe, and to pay their Miniſter's Salary in Money inſtead of Tobacco, was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Meſſage* from the Governour was delivered by Mr *Walthoe*.

Mr *Speaker*,

I am commanded by the Governour to acquaint this Houſe that his Honour is now ready to receive their Addreſs in the Council Chamber.

Mr *Speaker*, with the Houſe, went up accordingly; and being returned, reported that he had, with the Houſe, attended the Governour in the Council Chamber, and preſented the Addreſs of this Houſe to him, to which he was pleaſed to anſwer:

Mr

[1] Probably intended for Bowler Cocke. [2] Hening, VI, p. 71.

Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

The affectionate Manner in which you congratulate me on my ſafe Return into this Colony, and on the Succeſs of the Conferences with the Indians, *juſtly claims my moſt ſincere Thanks, which with great Cordiality I return you.*

When you take into Conſideration the Matters recommended to you, I can make no Doubt but that you will enter into ſuch Meaſures as will moſt likely tend to promote and effect the ſalutary Ends propoſed, and at the ſame Time do Juſtice to thoſe brave Men who have ſignalized themſelves in the Service of their Country.

A *Bill* For diſcontinuing the Warehouſes on the ſouth Side of *Nomony* River, and eſtabliſhing others at a more convenient Landing, was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

And then the Houſe adjourned until To-morrow Morning 12 o'Clock.

Tuesday, the 17th of January, 4 Geo. III. 1764.

A *Petition* of ſundry Inhabitants of the County of *King George*, praying that a Ferry may be eſtabliſhed from the Land of *Thomas Caſſon*, over *Rappahannock* River, to the Land of Mrs. *Conway* on the oppoſite Shore; and that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Ordered, That a Bill or Bills be brought in purſuant to the Prayer of the ſaid Petition, and it is referred to Mr *Charles Carter* to prepare and bring in the ſame.

Mr *Bland*, from the Perſons to whom the Bill To dock the Entail of certain Lands
13 whereof *Charles Carter*, Eſq; is ſeized, and for ſettling other Lands of greater Value to the ſame Uſes, was committed, reported that they had examined into the Allegations of the ſaid Bill, and found them to be true, and had made no Amendments thereto, and he delivered it in at the Table.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

Mr *Charles Carter* preſented to the Houſe, according to Order, a Bill For eſtabliſhing a Ferry from the Land of *Thomas Caſſon*, over *Rappahannock* River, to the oppoſite Shore in *Caroline;* and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* of *Joſeph Terry*, *Joſeph Winſton*, and *Peter Goodwin*, praying ſome Compenſation for the many Wounds they received in an Engagement with the *Indians* on their late Incurſions into the Frontiers of this Colony, and for the Loſs of their Baggage which was taken by the Enemy, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of Mr *Chriſtian*, and Mr *Thomas Johnſon;* that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Mr *Richard Henry Lee*, from the Perſons to whom the Petition of *Hancock Euſtace* was referred, reported that they had examined into the Allegations thereof, and had agreed upon a Report, and come to a Reſolution thereon, which he read in his Place, and then delivered in at the Table, where it was again read, and agreed to by the Houſe, as follows:

Reſolved, That the ſaid Petition be rejected, for Want of Proof to ſupport the Allegations thereof.

A *Petition* of Capt. *Bullett*, praying to be reimburſed the Sum of £30.18 which he advanced to *Richard Smith*, Interpreter to a Party of *Indians* then under the Care of the ſaid *Bullett*, at Fort *Chiſwell*, who were to remain as Hoſtages for the Return of the *Little Carpenter*, for his the ſaid *Smith's* Subſiſtence during that Service, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to Mr *Bland* and Mr *Walker;* that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Mr *Attorney* reported that the Committee appointed had, according to Order, prepared an Addreſs to the Governour; which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe, as follows:

Sir,

Having conſidered with ſerious Attention that Part of your Honour's Speech, enforcing the Requiſition of his Excellency General Amherſt, *repeated by the Honourable Major General* Gage, *we are concerned to find that Meaſures ſo wiſely calculated to ſtop the Progreſs of thoſe Cruelties practiſed by our ſavage Enemies on the Frontiers of this and the other Colonies cannot receive Aid from us, under our preſent Circumſtances.*

The Difficulty of raiſing Men to aſſiſt the common Cauſe during the late War made it expedient to diſpoſe of large Bounties to encourage their entering into the Service, which, with the Expenſe of ſubſiſting them, involved us in the diſagreeable Neceſſity of emitting Treaſury Notes, to circulate for a limited Time in Lieu of ready Money, of which none could at that Time be obtained.

Troops now to be raiſed would expect the like Bounty, and be attended with the like Expenſe; and as we cannot purſue the former Method of providing for them without raiſing the Clamours of the Britiſh *Merchants trading to this Colony, and thereby incurring miniſterial Cenſure, we are compelled, from the Neceſſity of the Caſe, to decline a Meaſure that would otherwiſe have met with our Approbation and Aſſiſtance.* 14

This, Sir, obliges us to reſt the Defence of the Frontiers upon our Militia; which, under your Honour's wiſe Direction, we have Reaſon to hope, from the Experiencs of laſt Summer, will prove effectual.

Ordered, That the ſaid Addreſs be fairly tranſcribed, and preſented by the Committee who drew it.

Mr *Pendleton*, from the Perſons to whom the Bill To direct the Sale of certain entailed Lands whereof *John Spotſwood*, Eſq; died ſeized, for Payment of the Debts due from him, and the Eſtate of Major General *Alexander Spotſwood*, was committed, reported that they had examined into the Allegations of the ſaid Bill, and found them to be true, and had made no Amendments thereto; and he delivered it in at the Table.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Petition* of *Robert Stobo*, ſetting forth that being a Major in the *Virginia* Regiment in the Year 1760, obtained Leave of his Honour the Governour to be abſent from the Service for the Space of one Year, his Affairs at that Time requiring his Preſence in *England;* that on his Return he applied to his Honour for his Pay as Major in the *Virginia* Reigment, who being in Doubt whether he could give his Warrant for the Payment of it, ordered him to make Application to this honourable Houſe; and praying the Conſideration of the Houſe thereon, was preſented to the Houſe and read; and the Queſtion being put that the ſaid Petition be referred to a Committee,

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

Mr *Pendleton*, from the Perſons to whom the Petition of *Edward Hubbard* was referred, reported that they had had the ſame under their Conſideration, and agreed upon a Report, and come to a Reſolution thereon; which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe, as follows:

Reſolved, That the Sum of £36. 11. 76 be paid to Lieutenant *Alexander Waugh* (to whom the ſaid *Hubbard* hath ordered the ſame to be paid) for the ſaid Company's Pay, and that the ſaid *Waugh* ſhall be obliged to account for the Diſburſements of the ſame, upon Oath, and produce the Diſcharges of the ſeveral Claimants, to the next Seſſion of Aſſembly.

Ordered, That the ſaid Reſolve be engroſſed, and that Mr *Pendleton* do carry it up to the Council for their Concurrence.

Mr *Pendleton*, from the Perſons to whom the Bill To veſt certain entailed Lands whereof *William Cary* is ſeized, in *Allen Jones*, in Fee Simple, and for ſettling other Lands

Lands and Slaves to be purchaſed in Lieu thereof, was committed, reported that they had examined into the Allegations of the ſaid Bill, and found them to be true, and had made no Amendments thereto; and he delivered it in at the Table.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Bill* For appointing Commiſſioners to examine and ſtate the Accounts of the Militia lately ordered out into actual Service, and for other Purpoſes therein mentioned, was read a ſecond Time, and committed to a Committee of the whole Houſe immediately.

The Houſe then reſolved itſelf into a Committee on the ſaid Bill; and after ſome Time ſpent therein Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had had the ſaid Bill under their Conſideration, but not having Time to go through the ſame, they had directed him to move for Leave to ſit again.

Reſolved, That this Houſe will reſolve itſelf into a Committee on the ſaid Bill To-morrow.

A *Bill* To empower the Corporation of the City of *Williamſburg* to aſſeſs Taxes on the Inhabitants thereof for the Purpoſes therein mentioned, and for repealing a certain Act of Aſſembly therein alſo mentioned, was read a ſecond Time, and committed to Mr *Attorney* and Mr *Richard Henry Lee*.

An engroſſed *Bill*, entitled, *An Act*[1] *for diſcontinuing the Warehouſes on the ſouth Side of* Nomony *River, and eſtabliſhing others at a more convenient Landing*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Richard Henry Lee* do carry the ſaid Bill to the Council for their Concurrence.

Two *Claims* of *William Walker* and *Richard Evans*, for taking up Runaways therein mentioned, were preſented to the Houſe and received.

Ordered, That the ſaid Claims be referred to the Conſideration of the next Seſſion of Aſſembly.

And then the Houſe adjourned until To-morrow Morning 12 o'Clock.

Wednesday, the 18th of January, 4 Geo. III. 1764.

MR *Richard Henry Lee*, from the Perſons to whom the Petition of Captain *Bullett* was referred, reported that they had had the ſame under their Conſideration, and come to a Reſolution thereon; which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe, as follows:

Reſolved, That *Thomas Bullett* be allowed by the Publick the Sum of £30.18, to be deducted out of the Sum of £71 due to *Smith*, the *Indian* Interpreter, in the Petition mentioned, the ſaid *Bullett* having an Order for that Purpoſe from the Brother and Executor of the ſaid *Smith*.

He alſo reported that the *Committee* to whom the Petition of *Henry Timberlake* was referred had had the ſame under their Conſideration, and come to a Reſolution thereon; which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe, as follows:

Reſolved, That the Petition be rejected, the Demand being payable out of the Funds appropriated to defray the contingent Charges of this Government.

A *Petition* of *Robert Brackenridge*, praying to be reimburſed a Sum of Money which he advanced to three Men of his Company of Militia when ſtationed on Duty at Fort *Chiſwell*, in the Year 1761, he having neglected to inſert their Names in the Pay Roll for that Service, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the next Seſſion of Aſſembly.

On

[1] Hening, VIII, p. 17.

On the *Petition* of *James Galt*, Keeper of the publick Gaol, praying a Continuance of his former Salary,

Reſolved, That the additional Sum of £15 be paid to the ſaid *James Galt*, over and above his uſual Salary of £25 per Annum.

Reſolved, That 10 lbs. of Tobacco per Day be allowed to the ſaid *James Galt*, for every Criminal committed to the ſaid Gaol during ſuch Criminal's Impriſonment, from this Time to the End of the next Seſſion of Aſſembly.

A *Petition* of *James Wilſon*, praying ſome Compenſation for the Loſs of the Uſe of his right Arm, occaſioned by a Muſket Shot in an Engagement with a large Body of *Indians* in *September* laſt. 16

Alſo a *Petition* of *Robert Clandening*, ſetting forth that he being draughted out of the Militia of *Auguſta* County was ſent out under the Command of Captain *Moffat*, to repel the hoſtile Invaſions of the *Indians* on the Frontiers of this Colony; that in an Action between a large Body of *Indians*, and a Detachment from the Companies of the ſaid Moffat, and Captain *Phillips* of *Louiſa*, he was dangerouſly wounded in his right Arm by a Muſket Ball, which has deprived him of the Uſe thereof, and rendered him entirely incapable of getting his Livelihood; and praying the Conſideration of the Houſe therein, was preſentd to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of Mr *Cary*, Mr *Wilſon* Mr *Robert Bolling*, Jun. and Mr *Fleming;* that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

On a *Motion* made,

Ordered, That Mr *Cary* be added to the Perſons to whom the Petition of *Joſeph Terry*, &c. is referred.

Mr *Attorney*, from the Perſons to whom the Bill To empower the Corporation of the City of *Williamſburg* to aſſeſs Taxes on the Inhabitants thereof for the Purpoſes therein mentioned, and for repealing a certain Act of Aſſembly therein alſo mentioned, was committed, reported that the Committee had made ſeveral Amendments thereto; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To enable certain Adventurers to drain a large Tract of marſhy Ground in the Counties of *Nanſemond* and *Norfolk;* and it is referred to Mr *Richard Henry Lee* and Mr *Lemuel Riddick*, to prepare and bring in the ſame.

A *Petition* of *Thomas Branan*, praying to be allowed for three Horſes impreſſed into the Service in the Years 1756, 1758, and 1759, appraiſed to £25.15, and never returned him, was preſented to the Houſe and read.

Reſolved, That the ſaid *Thomas Branan* be allowed by the Publick the Sum of £25.15, for the Horſes in the Petition mentioned.

On the *Petition* of *Joſeph Royle*, Printer, praying the Continuance of his Salary as Printer to this Houſe,

Reſolved, That the Sum of £375 per Annum be allowed to the ſaid *Joſeph Royle*, Printer, to continue to the End of the next Seſſion of Aſſembly, as a full Conſideration for printing the Journal of the Houſe of Burgeſſes, printing the Laws of each Seſſion and ſending as many Copies to the County Court Clerks as there are Juſtices in the Commiſſion in each reſpective County, and one other, which is to be half bound, for the Uſe of the Court, and ten to the Clerk of the Court of Huſtings of the Borough of *Norfolk*, printing Inſpectors Notes and Books, Proclamations, and other publick Advertiſements.

Ordered, That the ſaid Reſolve be engroſſed, and that Mr *Attorney* do carry it to the Council for their Concurrence.

A *Claim* of *John Befley*, for taking up a Runaway therein mentioned, was prefented to the Houfe and received.

Ordered, That the faid Claim be referred to the Conſideration of the next Seſſion of Aſſembly.

17 The *Order* of the Day being read, the Houſe again reſolved itſelf into a Committee on the Bill For appointing Commiſſioners to examine and ſtate the Accounts of the Militia lately ordered out into actual Service, and for other Purpoſes therein mentioned; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had had the ſaid Bill under their further Conſideration, and made ſeveral Amendments thereto, which they had directed him to report to the Houſe; and he read the ſaid Amendments in his Place, and delivered them in at the Table, where they were again twice read, and agreed to by the Houſe, with ſome Amendments.

Ordered, That the ſaid Bill with the Amendments, as amended, be engroſſed, and read a third Time.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For amending an Act, entitled, *An Act*[1] *for amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and for preventing Frauds in his Majeſty's Cuſtoms;* and it is referred to Mr *Cary*, and Mr *Richard Henry Lee*, to prepare and bring in the ſame.

Mr *Richard Henry Lee*, preſented to the Houſe, according to Order, a Bill To enable certain Adventurers to drain a large Tract of marſhy Ground in the Counties of *Nanſemond* and *Norfolk;* and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

And then the Houſe adjourned until To-morrow Morning 12 o'Clock.

Thurſday, the 19th of January, 4 Geo. III. 1764.

A *Petition* of *Abraham Kuykendall*, praying to be reimburſed the Sum of £5.10 which he paid to Surgeons for healing a dangerous Wound in his Body, received in an Attack with the *Indians* on the Frontiers of this Colony, as alſo ſome Compenſation for his Sufferings.

Alſo a *Petition* of *John Dickenſon*, ſetting forth that he went out Captain of a Company of Volunteers of *Auguſta* County, in Purſuit of the *Indians* who have of late infeſted thoſe Parts, in *October* laſt, and came up with them, and had an Engagement, in which he received a Wound in his left Hand, which has rendered it entirely uſeleſs; and praying the Conſideration of the Houſe therein, and that he many be allowed for a Quantity of Proviſions laid in at Fort *Dunlop*, by Orders he received for that Purpoſe, intended for Part of Colonel *Byrd's* Regiment, which never arrived, and the Proviſions ſpoiled on his Hands, was preſented to the Houſe and read.

Ordered, That the ſaid Petitions be referred to the Conſideration of Mr *Cary*, Mr *Wilſon*, Mr *Robert Bolling*, Jun. and Mr *Fleming;* that they examine into the Allegations thereof, and report their Opinion thereon to the Houſe.

Several *Claims* of *John Pulliam*, *William Sergant*, *Joſeph Morehead*, and *Joſeph Williams*, for taking up Runaways therein mentioned, were preſented to the Houſe and received.

Ordered, That the ſaid Claims be referred to the Conſideration of the next Seſſion of Aſſembly.

A *Petition* of *Hugh Cunninghame*, ſetting forth that on the 17th of *July* laſt the Savages in an Incurſion met with his Father and Mother, and inhumanly murdered
18 them, together with his Wife and Son, captivated his Daughter, and ſhot him in the Breaſt

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[1] Hening, VII, p. 387.

Breaſt, the Bullet lodging in his Shoulder; that the Wound is ſtill open, and he labours in much Pain and Anguiſh; they likewiſe rode away his Horſes, ſhot down his Cattle in the Fields, burnt his Houſe and Barn, and all his Corn, and left him deſtitute even of Bread and Clothing; and praying ſome Compenſation for his Loſſes, was preſented to the Houſe and read; and the Queſtion being put that the ſaid Petition be referred to a Committee,

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

Mr *Cary*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill For amending an Act, entitled, *An Act*[1] *for amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and for preventing Frauds in his Majeſty's Cuſtoms;* and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* of *Peter Pelham*, Organiſt, praying to be allowed for his Trouble in performing on the Organ in the Church of the City of *Williamſburg* for the laſt Year, and during this Seſſion, and for keeping the ſame in Order, was preſented to the Houſe and read.

Reſolved, That the Sum of £30 be allowed to the ſaid *Pelham*, for the Services in his Petition mentioned.

Ordered, That the ſaid Reſolve be fairly engroſſed, and that Mr *Richard Henry Lee* do carry it up to the Council for their Concurrence.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly; and it is referred to Mr *Cary* to prepare and bring in the ſame.

An engroſſed *Bill*, entitled, *An Act*[2] *to direct the Sale of certain entailed Lands whereof* John Spotſwood, *Eſq; died ſeized, for Payment of the Debts due from him, and the Eſtate of Major General* Alexander Spotſwood, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Edmund Pendleton* do carry up the ſaid Bill to the Council for their Concurrence.

On a *Motion* made,

Ordered, That it be an Inſtruction to Mr *Cary*, to whom it is referred to bring in a Bill For paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly, to augment the ſaid Burgeſſes Wages to 15s each.

An engroſſed *Bill*, entitled, *An Act*[3] *to empower the Veſtry of the Pariſh of* Elizabeth River, *in the County of* Norfolk, *to purchaſe and improve Lots in the Borough of* Norfolk *for the Uſe of the Miniſter, inſtead of a Glebe, and to pay their Miniſter's Salary in Money inſtead of Tobacco*, was read a third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Bradley* do carry up the ſaid Bill to the Council for their Concurrence.

A *Petition* of *Robert Hamilton*, praying ſome Compenſation for the Loſſes he has of late ſuſtained by the Incurſions and Depredations of the Savages, was preſented to the Houſe and read; and the Queſtion being put that the ſaid Petition be referred to a Committee,

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

A written *Meſſage* from the Governour was delivered by Mr *Walthoe*, as follows: 19

Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

It gives me great Satiſfaction that the Meaſures I have purſued for the Defence of the Frontiers, expenſive as they have proved, have met with your Approbation; but it would have

[1] Hening, VII, p. 387. [2] *Ibid.*, VIII, p. 27. [3] *Ibid.*, VIII, p. 14.

have heightened this Pleaſure if, conſiſtently with the Circumſtances of the Colony, you could have fallen upon ſome Expedient to have aſſiſted his Majeſty's regular Troops in the Plan propoſed by his Generals for reducing the Indians *to his Obedience, and a Willingneſs to accept of the Terms of Peace which he generouſly offers them for the future Security of his Subjects in* America.

You may aſſure yourſelves that it ſhall be my Study to make Uſe of the Power you put into my Hands in the leaſt expenſive, but at the ſame Time the moſt effectual Manner, to anſwer the Purpoſes for which it is depoſited with me.

A *Bill* For altering the Court Day of the County of *Lancaſter* was read the ſecond Time, and committed to Mr *Cary*, and the Members of *Lancaſter* and *Glouceſter*.

An engroſſed *Bill*, entitled, *An Act*[1] *to veſt certain entailed Lands whereof* William Cary *is ſeized, in* Allen Jones, *in Fee Simple, and for ſettling other Lands and Slaves to be purchaſed in Lieu thereof*, was read a third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Edmund Pendleton* do carry it up to the Council for their Concurrence.

A *Bill* To enable the *Nottoway* and *Nanſemond Indians* to ſell certain Lands belonging to them, and for other Purpoſes therein mentioned, was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

An engroſſed *Bill*, entitled, *An Act*[2] *to dock the Entail of certain Lands whereof* Charles Carter, *Eſq; is ſeized, and for ſettling other Lands of greater Value to the ſame Uſes*, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[3] *to empower the Corporation of the City of* Williamſburg *to aſſeſs Taxes on the Inhabitants thereof for the Purpoſes therein mentioned, and for repealing a certain Act of Aſſembly therein alſo mentioned*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry it up to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[4] *for appointing Commiſſioners to examine and ſtate the Accounts of the Militia lately ordered out into actual Service, and for other Purpoſes therein mentioned*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry up the ſaid Bill to the Council for their Concurrence.

A *Bill* For eſtabliſhing a Ferry from the Land of *Thomas Caſſon*, over *Rappahannock* River, to the oppoſite Shore in *Caroline*, was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Bill* To enable certain Adventurers to drain a large Tract of marſhy Ground in the Counties of *Nanſemond* and *Norfolk*, was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

Mr *Cary* preſented to the Houſe, according to Order, a Bill For paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

A *Bill* For opening and clearing a Road through *Rockfiſh* Gap over the Mountains, was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Bill* To empower the Veſtry of the Pariſh of *Bath*, in the County of *Dinwiddie*, to ſell their Glebe, and purchaſe a more convenient One, was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

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[1] Hening, VIII, p. 34. [2] *Ibid.*, VIII, p. 25. [3] *Ibid.*, VIII, p. 21. [4] *Ibid.*, VIII, p. 9.

An Act[1] *For amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and for preventing Frauds in his Majeſty's Cuſtoms*, was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

On a *Motion* made,

A *Bill* For paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

And then the Houſe adjourned until To-morrow Morning 12 o'Clock.

Friday, the 20th of January, 4 Geo. III. 1764.

AN engroſſed *Bill*, entitled, *An Act*[2] *to enable certain Adventurers to drain a large Tract of marſhy Ground in the Counties of* Nanſemond *and* Norfolk, was read a third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Fleming* do carry up the ſaid Bill to the Council for their Concurrence.

A *Meſſage* from the Council was delivered by Mr *Walthoe*.

That they have agreed to the Bill, *entitled*, An Act[3] for appointing Commiſſioners to examine and ſtate the Accounts of the Militia lately ordered out into actual Service, and for other Purpoſes therein mentioned.

Alſo to the Bill, *entitled*, An Act[4] for diſcontinuing the Warehouſes on the ſouth Side of *Nomony* River, and eſtabliſhing others at a more convenient Landing.

Alſo to the Bill, *entitled*, An Act[5] to empower the Corporation of the City of *Williamſburg* to aſſeſs Taxes on the Inhabitants thereof for the Purpoſes therein mentioned, and for repealing a certain Act of Aſſembly therein alſo mentioned.

Alſo to the Bill, *entitled*, An Act[6] to empower the Veſtry of the Pariſh of *Elizabeth River*, in the County of *Norfolk*, to purchaſe and improve Lots in the Borough of *Norfolk*, for the Uſe of the Miniſter, inſtead of a Glebe, and to pay their Miniſter's Salary in Money inſtead of Tobacco.

Alſo to the Bill, *entitled*, An Act[7] to dock the Entail of certain Lands whereof *Charles Carter*, Eſq; is ſeized, and for ſettling other Lands of greater Value to the ſame Uſes.

Alſo to a Reſolve *of this Houſe For allowing* Edward Hubbard £361.17.6 *for the Purpoſes therein mentioned.*

An engroſſed *Bill*, entitled, *An Act*[8] *to empower the Veſtry of the Pariſh of* Bath, *in the County of* Dinwiddie, *to ſell their Glebe, and purchaſe a more convenient One*, was read a third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Claiborne* do carry up the ſaid Bill to the Council for their Concurrence. 21

An engroſſed *Bill*, entitled, *An Act*[9] *to enable the* Nottoway *and* Nanſemond *Indians to ſell certain Lands belonging to them, and for other Purpoſes therein mentioned*, was read a third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Gray* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[10] *for opening and clearing a Road through* Rockfiſh *Gap over the Mountains*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered

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[1] Hening, VII, p. 387.
[2] *Ibid.*, VIII, p. 18.
[3] *Ibid.*, VIII, p. 9.
[4] *Ibid.*, VIII, p. 17.
[5] *Ibid.*, VIII, p. 21.
[6] *Ibid.*, VIII, p. 14.
[7] *Ibid.*, VIII, p. 25.
[8] *Ibid.*, VIII, p. 24.
[9] Not in Hening.
[10] Hening, VIII, p. 16.

Ordered, That Mr *Chriſtian* do carry up the ſaid Bill to the Council for their Concurrence.

A *Petition* of *Robert Andrews*, praying to be allowed a Recompenſe for the Wounds he received in the Service of the Country, in a late Engagement with the Enemy *Indians*, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee to whom the Petitions of *Kuykendall* and *Dickenſon* were referred; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

An engroſſed *Bill*, entitled, *An Act*[1] *for amending an Act, entitled, An Act for amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and for preventing Frauds in his Majeſty's Cuſtoms*, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Cary* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[2] *for eſtabliſhing a Ferry from the Land of* Thomas Caſſon, *over* Rappahannock *River, to the oppoſite Shore in* Caroline, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Charles Carter* do carry it up to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[3] *for paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Cary* do carry up the ſaid Bill to the Council for their Concurrence.

On a *Motion* made,

Reſolved, That the ſeveral Sums following be paid to the ſeveral Officers of the General Aſſembly, reſpectively:

To *John Randolph*, Eſq; Clerk of the Houſe of Burgeſſes,	£ 75
To *Nathaniel Walthoe*, Eſq; Clerk of the General Aſſembly,	30
To the Rev. Mr *William Yates*, Chaplain,	20
To Mr *Francis Eppes*, Sergeant at Arms,	20
To the Doorkeeper of the Council,	15
To *James Lavie*, ... }	5
To *Nathaniel Hix*, ... } Doorkeepers to the Houſe {	5
To *John Broadrib*, ... }	5
To *Thomas Francis* ... }	5

Ordered, That Mr *Cary* do carry it up to the Council for their Concurrence.

22 Several *Claims* of *Peter Pierce*, *George Neavill*, Jun. *Francis Farnell*, *Abraham Symſon*, *Moſes Bledſoe*, *William Symſon*, and *Anthony Foſter*, for taking up Runaways therein mentioned, were preſented to the Houſe and received.

Ordered, That the ſaid Claims be referred to the Conſideration of the next Seſſion of Aſſembly.

Ordered, That the Committee to examine the enrolled Bills do conſiſt of the following Perſons, viz. Mr *Wythe*, Mr *Grymes*, Mr *Bradley*, Mr *Richard* and *Henry Lee*.

A *Meſſage* from the Council was delivered by Mr *Walthoe*.

That they have agreed to the Bill, *entitled*, An Act[4] to enable certain Adventurers to drain a large Tract of marſhy Ground in the Counties of *Nanſemond* and *Norfolk*.

Alſo to the Bill, *entitled*, An Act[5] To empower the Veſtry of the Pariſh of *Bath*, in the County of *Dinwiddie*, to ſell their Glebe, and purchaſe a more convenient One.

Alſo to the Bill, *entitled*, An Act[6] for opening and clearing a Road through *Rockfiſh* Gap over the Mountains.

Alſo

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1 Hening, VIII, p. 12.
2 *Ibid.*, VIII, p. 19
3 Not in Hening.
4 Hening, VIII, p. 18.
5 *Ibid.*, VIII, p. 24.
6 *Ibid.*, VIII, p. 16.

Alſo to a Reſolve *of this Houſe For allowing* Joſeph Royle, *Printer, £375 per Annum.*

On a *Motion* made,

Ordered, That it be an Inſtruction to the Perſons to whom the Bill For altering the Court Day of *Lancaſter* County was committed, that they receive a Clauſe or Clauſes for altering the Court Day of *Warwick*, *Cheſterfield*, and *Glouceſter* Counties.

Mr *Cary*, from the Perſons to whom the Bill For altering the Court Day of the County of *Lancaſter* was referred, reported that the Committee had made ſeveral Amendments thereto; which he read in his Place, and then delivered the Bill, with the Amendments, in at the Table, where they were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill, with the Amendments, be engroſſed, and read a third Time.

A *Meſſage* from the Council was delivered by Mr *Walthoe*.

That they have agreed to the Bill, *entitled*, An Act[1] to direct the Sale of certain entailed Lands whereof *John Spotſwood*, Eſq; died ſeized, for Payment of the Debts due from him, and the Eſtate of Major General *Alexander Spotſwood*.

Alſo to a Bill, *entitled*, An Act[2] to veſt certain entailed Lands whereof *William Cary* is ſeized, in *Allen Jones*, in Fee Simple, and for ſettling other Lands and Slaves to be purchaſed in Lieu thereof.

Alſo to the Bill, *entitled*, An Act[3] for amending an Act, entitled, An Act for amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and for preventing Frauds in his Majeſty's Cuſtoms.

Alſo to the Bill, *entitled*, An Act[4] for eſtabliſhing a Ferry from the Land of *Thomas Caſſon*, over *Rappahannock* River, to the oppoſite Shore in *Caroline*.

Alſo to the Reſolve *of this Houſe, For paying the Officers Salaries*.

Mr *Cary*, from the Perſons to whom the Petition of *James Wilſon*, *Robert Clandening*, *John Dickenſon*, *Abraham Kuykendall*, and *Robert Andrews*, were referred, reported that they had had the ſame under their Conſideration, and had agreed upon a Report, and come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered 23
in at the Table, where they were again twice read, and agreed to by the Houſe, and are as follow:

Reſolved, That the Petitioners *James Wilſon* and *Robert Clandening* be allowed the Sum of £40 each, to enable them to diſcharge the Demands of the Doctor, and other Expenſes, incurred by the Wounds they received in the Service of their Country.

Reſolved, That the ſaid *James Wilſon* and *Robert Clandening* be allowed the Sum of £10 each per Annum, for their Support during their Lives, they having both loſt the Uſe of their right Arms in the ſaid Service.

Reſolved, That the ſaid *John Dickenſon* be allowed the Sum of £200, as a Compenſation for the Loſs of the Uſe of his Hand in the Service of the Country.

Reſolved, That the ſaid *John Dickenſon* be allowed for 7529 lbs. of Beef, laid in at Fort *Dunlop*, the Sum of £46.16; and for killing, providing Salt, ſalting, and ſmoking the ſaid Beef, £12.4; and for two Years Intereſt thereon, £5.18; amounting in the Whole to £64.18.

Reſolved, That the Petition of the ſaid *Abraham Kuykendall* be rejected, it appearing that he was not employed in the Service of the Country.

Reſolved, That the Petitioner *Robert Andrews* be allowed the Sum of £20, to enable him to diſcharge the Demand of the Doctor, and other Expenſes, incurred by the Wound he received in the Service of this Country.

Reſolved, That the ſaid *Robert Andrews* be allowed the further Sum of £10 per Annum. for his Support during his Life, he having loſt the Uſe of his right Arm in the ſaid Service.

Ordered, That the ſaid Reſolves be engroſſed, and that Mr *Cary* do carry them to the Council for their Concurrence.

Mr

[1] Hening, VIII, p, 27. [2] *Ibid.*, VIII, p, 34. [3] *Ibid.*, VIII, p, 12. [4] *Ibid.*, VIII, p, 19.

Mr *Thomas Johnſon*, from the Perſons to whom the Petition of *Joſeph Terry*, Jun. *Joſeph Winſton*, and *Robert Goodwin*, were referred, reported that they had examined into the Allegations thereof, and found them to be true, and had agreed upon a Report, and come to two Reſolutions thereon; which he read in his Place, and then delivered them in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That the ſaid *Joſeph Terry* and *Joſeph Winſton* be allowed the Sum of £25 each, to enable them to diſcharge the Doctors Accounts, and to recompenſe them for their Loſs of Time after they were diſbanded, while they continued lame of the Wounds they received in the Service of the Publick.

Reſolved, That the Petitioner *Robert Goodwin* be allowed the Sum of £11.7.6, the Expenſes he incurred from the Wounds he received in the Service of his Country.

Ordered, That the ſaid Reſolves be engroſſed, and that Mr *Cary* do carry them up to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[1] *for altering the Court Days of the Counties of* Lancaſter, Glouceſter, Cheſterfield, *and* Warwick, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Cary* do carry up the ſaid Bill to the Council for their Concurrence.

And then the Houſe adjourned until To-morrow Morning 12 o'Clock.

24

Saturday, the 21st of January, 4 Geo. III. 1764.

A *Meſſage* from the Council was delivered by Mr *Walthoe*.

That they have agreed to the Bill, *entitled*, An Act[2] for altering the Court Days of the Counties of *Lancaſter*, *Glouceſter*, *Cheſterfield*, and *Warwick*.

Alſo to the Reſolve *of this Houſe For allowing* Peter Pelham *£30, for the Services therein mentioned.*

Alſo to the ſeveral Reſolves *For allowing the Wounded Officers and Soldiers the ſeveral Sums therein mentioned.*

Mr *Wythe* reported that the Committee appointed had, according to Order, examined the enrolled Bills and Reſolves, and rectified ſuch Miſtakes as were found therein, and that they were truly enrolled.

Ordered, That Mr *Wythe* do carry up the ſaid Bills and Reſolves to the Council for their Inſpection.

A *Meſſage* from the Council by Mr *Walthoe*,

That they have inſpected the enrolled Bills and Reſolves, and are ſatiſfied they are truly enrolled.

A *Meſſage* from the Governour by Mr *Walthoe*.

Mr *Speaker*,

The Governour commands the immediate Attendance of this Houſe in the Council Chamber, and that you bring with you ſuch Bills and Reſolves as are ready for his Aſſent.

Mr *Speaker*, with the Houſe, went up accordingly, and the Governour was pleaſed to give his Aſſent to the following Bills:

1. *An Act*[3] *for appointing Commiſſioners to examine and ſtate the Accounts of the Militia lately ordered out into actual Service, and for other Purpoſes therein mentioned.*

2. [4]*For amending an Act, entitled, An Act for amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and for preventing Frauds in his Majeſty's Cuſtoms.*

To

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[1] Hening, VIII, p. 23. [2] *Ibid.*, VIII, p. 23. [3] *Ibid.*, VIII, p, 9. [4] *Ibid.*, VIII, p. 12.

3. [1]*To empower the Veſtry of the Pariſh of Elizabeth River, in the County of Norfolk, to purchaſe and improve Lots in the Borough of Norfolk for the Uſe of the Miniſter, inſtead of a Glebe, and to pay their Miniſter's Salary in Money inſtead of Tobacco.*

4. [2]*For opening and clearing a Road through Rockfiſh Gap over the Mountains.*

5. [3]*For diſcontinuing the Warehouſes on the ſouth Side of Nomony River, and eſtabliſhing others at a more convenient Landing.*

6. [4]*To enable certain Adventurers to drain a large Tract of marſhy Ground in the Counties of Naneſmond and Norfolk.*

7. [5]*For eſtabliſhing a Ferry from the Land of Thomas Caſſon, over Rappahannock River, to the oppoſite Shore in Caroline.*

8. [6]*To empower the Corporation of the City of Williamſburg to aſſeſs Taxes on the Inhabitants thereof for the Purpoſes therein mentioned, and for repealing a certain Act of Aſſembly therein alſo mentioned.*

9. [7]*For altering the Court Days of the Counties of Lancaſter, Glouceſter, Cheſterfield, and Warwick.*

10. [8]*An Act to empower the Veſtry of the Pariſh of Bath, in the County of Dinwiddie,* 25 *to ſell their Glebe, and purchaſe a more convenient One.*

11. [9]*To dock the Entail of certain Lands whereof Charles Carter, Eſq; is ſeized, and for ſettling other Lands of greater Value to the ſame Uſes.*

12. [10]*To direct the Sale of certain entailed Lands whereof John Spotſwood, Eſq; died ſeized, for Payment of the Debts due from him, and the Eſtate of Major General Alexander Spotſwood.*

13. [11]*To veſt certain entailed Lands whereof William Cary is ſeized, in Allen Jones, in Fee Simple, and for ſettling other Lands and Slaves to be purchaſed in Lieu thereof.*

Alſo to the following Reſolves:

1. *For allowing Joſeph Royle £375 a Year, for the Purpoſes therein mentioned.*
2. *For paying Alexander Waugh £361.17.6, for the Purpoſes therein mentioned.*
3. *For paying to the Officers and Soldiers the ſeveral Sums therein mentioned.*
4. *For allowing Peter Pelham £30, for his Services as Organiſt.*
5. *For allowing the Officers of the General Aſſembly the ſeveral Sums therein mentioned.*

And then cloſed the Seſſion with the following Speech:

Gentlemen of the Council, M[r] *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

As you have gone through all the Buſineſs that was before you, I ſhall now diſmiſs you from any further Attendance on this Seſſion of Aſſembly; but I cannot do this without expreſſing the juſt Senſe I have of the Confidence you ſo kindly place in me, by leaving the, Defence of your Frontiers under my Direction. This ſhows your Approbation of the Meaſures I purſued the laſt Summer, and your Approbation is always Matter of great Pleaſure to me; and that I may not hereafter forfeit it, you may aſſure yourſelves that I ſhall employ the Power I am veſted with in the beſt Manner I am able to anſwer the Purpoſes intended by it. In doing this, I ſhall endeavor to poſt ſuch of the Militia as it may be judged neceſſary to employ in ſuch a Manner as to cover the Country, if poſſible, and thereby perhaps give ſome Aſſiſtance to any Plan of Operation propoſed by the Commanders of his Majeſty's Troops, as far as that Service can be done without marching our Men out of the Colony, and expoſing our own Settlements. I ſhall now prorogue you, and you are accordingly prorogued, to the laſt Thurſday in April next.

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[1] Hening, VIII, p. 14.
[2] *Ibid.*, VIII, p. 16.
[3] *Ibid.*, VIII, p. 17.
[4] *Ibid.*, VIII, p. 18.
[5] *Ibid.*, VIII, p. 19.
[6] *Ibid.*, VIII, p. 21.
[7] *Ibid.*, VIII, p. 23.
[8] *Ibid.*, VIII, p. 24.
[9] *Ibid.*, VIII, p. 25.
[10] *Ibid.*, VIII, p. 27.
[11] *Ibid.*, VIII, p. 34.

JOURNAL

of the

HOUSE OF BURGESSES

1764

October Session

Burgeſſes.

Accomac	Thomas Parramore
	Southey Simpſon
Albemarle	Thomas Walker
	Henry Fry
Amelia	David Greenhill
	Thomas Tabb
Amherſt	William Cabell
	Cornelius Thomas
Auguſta	Iſrael Chriſtian
	John Wilſon
Bedford	William Callaway
	John Talbot
Brunſwick	William Thornton
	Iſaac Rowe Walton
Buckingham	*Robert Bolling, Jr.
	Joſeph Cabell
Caroline	John Baylor
	Edmund Pendleton
Charles City	Benjamin Harriſon
	William Kennon
Cheſterfield	Archibald Cary
	Richard Eppes
The College	Mann Page
Culpeper	John Field
	James Barbour
Cumberland	John Fleming
	Thomas Proffer
Dinwiddie	Robert Bolling
	Leonard Claiborne, Jr.
Elizabeth City	George Wythe
	William Wager
Eſſex	John Lee
	John Upſhaw
Fairfax	George Johnſton
	John Weſt
Fauquier	Thomas Harriſon
	Thomas Marſhall
Frederick	George Waſhington
	George Mercer
Glouceſter	Thomas Whiting
	John Page
Goochland	John Payne
	Joſias Payne
Halifax	Nathaniel Terry
	*Edward Booker
Hampſhire	James Mercer
	Thomas Rutherford
Hanover	James Littlepage
	John Syme
Henrico	Bowler Cocke
	*Philip Mayo
Iſle of Wight	James Bridger
	Dolphin Drew
James City	Lewis Burwell
	Philip Johnſon
Jameſtown	Edward Champion Travis
King & Queen	John Pendleton
	John Robinſon
King George	Charles Carter
	William Champe
King William	Bernard Moore
	Carter Braxton
Lancaſter	Charles Carter
	Richard Mitchell
Loudoun	Francis Lightfoot Lee
	James Hamilton
Louiſa	William Johnſon
	Thomas Johnſon
Lunenburg	Henry Blagrave
	Clement Reade, Jr.
Middleſex	John Smith
	*Gawin Corbin
Nanſemond	Willis Riddick
	Lemuel Riddick
New Kent	Burwell Baſſett
	Richard Adams
Norfolk	William Bradley
	Thomas Veal
Norfolk Borough	Joſeph Hutchings
Northampton	John Harmanſon
	Thomas Dalby
Northumberland	Richard Hull
	Spencer Ball
Orange	James Taylor
	James Walker
Prince Edward	Peter Legrand
	*Abner Naſh
Prince George	Richard Bland
	Richard Bland, Jr.
Prince William	John Baylis
	Henry Lee
Princeſs Anne	Edward Hack Moſeley
	Anthony Walke

*Not ſhown by the Journal to have been preſent during the Aſſembly.

Richmond	John Woodbridge Landon Carter
Southampton	*Joſeph Gray Benjamin Symmons
Spotſylvania	Fielding Lewis Benjamin Grymes
Stafford	William Fitzhugh Thomas L. Lee
Surry	Hartwell Cocke William Bailey
Suſſex	David Maſon John Edmunds
Warwick	William Digges William Harwood
Weſtmoreland	Richard Henry Lee Richard Lee
Williamſburg	Peyton Randolph
York	Dudley Digges Thomas Nelſon, Jr.

*Not ſhown by the Journal to have been preſent during the Aſſembly.

Changes in the Perſonnel, 1764.

October Seſſion.

Albemarle	Henry Fry ſucceeded John Fry
Cumberland	Thomas Proffer ſucceeded George Carrington
Halifax	Edward Booker ſucceeded Robert Wade
King George	William Champe ſucceeded Charles Carter, Sr.
Middleſex	Gawin Corbin ſucceeded Ralph Wormeley
Spotſylvania	Benjamin Grymes ſucceeded William Johnſton

JOURNAL

of the

HOUSE OF BURGESSES

Tuesday, the 30th of October, 5 Geo. III. 1764.

A *Meſſage* from the Governour was delivered by Mr *Walthoe*,

Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

The Governour commands the immediate Attendance of your Houſe in the Council Chamber.

Accordingly Mr *Speaker*, with the Houſe, went up to attend the Governour.

And being returned, reported that the Houſe had attended the Governour in the Council Chamber, and that he was pleaſed to make a Speech to the Council and this Houſe, of which he had, to prevent Miſtakes, obtained a Copy; which he read in his Place, and afterwards delivered in at the Table, where it was again twice read, and is as follows:

Gentlemen of the Council, Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

You are now met in General Aſſembly, after a long Receſs, to conſider of and go through
2 *the Buſineſs of the Country, and ſuch other Points as may be offered for your Deliberation. In the Courſe of this Seſſion many Matters of Importance will come under your Conſideration; and by the long previous Notice you have had of the Time of your aſſembling, I hope I now meet you prepared to undergo with Patience and Cheerfulneſs the Fatigue which a long Seſſion unavoidably brings with it.*

Beſides the ordinary Buſineſs of the Seſſion, I have it in Charge to lay before you, and earneſtly recommend to your moſt ſerious Attention, a Propoſition made by the Merchants of Great Britain *trading to this Colony to the Right Honourable the Board of Trade, relating to their having their Sterling Debts ſecured to them by a Payment in Sterling Money: This is reaſonable on the Face of it; and the Lords of Trade have left it to you to provide for it yourſelves, by any Means you ſhall think moſt expedient to effect that Purpoſe, before they referred the Complaints of the Merchants to the* Britiſh *Parliament. This Lenity of their Lordſhips demands a ſuitable Return from you: And that you may be the better enabled to anſwer their Expectations, I ſhall immediately lay before you a Minute of the Proceedings*
3 *of that Right Honourable Board, and the Letter their Lordſhips have ſent to me on that Head. By a now Long Experience, I have always found you diſpoſed to do Juſtice to all Men; and I hope this Diſpoſition will induce you to give that Juſtice to the Merchants which ſhall be ſatiſfactory, not only to his Majeſty and his Miniſters, but to the Merchants themſelves. This Letter I have long ſince received; but being unwilling to give you an additional Trouble, and create an unneceſſary Expenſe to the Country, I did not immediately convene you, but poſtponed it to this Time, when it was thought proper you ſhould meet, as I judged this would anſwer the Purpoſe intended: But then, Gentlemen, I undertook to anſwer for you that you ſhould enter upon this Matter immediately on your Meeting, that I might be enabled to tranſmit to their Lordſhips your Acts, in Conſequence of the Propoſition offered you, Time enough for their Lordſhips to make that Uſe of them which they ſhould think proper. That I may perform this Engagement, which I have entered into on your Account, I make*

no

no Doubt but that you will, without Delay, proceed on this Buſineſs; and that the Reſult of your Deliberations will do Honour to yourſelves, Juſtice to the Merchants, and give Satiſfaction to the Miniſtry.

I ſhall alſo lay before you a Letter I have very lately received from the Earl of Halifax, 4
one of his Majeſty's principal Secretaries of State, relative to the Eſtabliſhment of Ferries, and other Articles for the Convenience of the Poſt which is deſigned to be carried on with great Regularity through the vaſt Continent of North America; *which by our late glorious Succeſſes, is now become Part of his Majeſty's Dominions. The Uſefulneſs of a regular Poſt to a commercial People is ſo great, and ſo well known, that I flatter myſelf the bare mentioning it, and the laying the Letter before you, will be ſufficient, without my ſaying more on the Subject, to induce you to enter heartily into that Meaſure.*

I have received ſeven Acts of Parliament paſſed in the laſt Seſſion, in which all his Majeſty's Colonies are concerned; which I have depoſited in the Council Office, as the moſt proper Place to be ready at Hand for your Inſpection, at all Times when you ſhall have Occaſion to look into them.

The Diſturbances which the Incurſions of the Indians *have occaſioned in our back Settlements, during the Courſe of the laſt Summer, have made it unſafe for me wholly to diſband the Militia; but by the Conſent, and Advice of his Majeſty's Council, I have repeatedly reduced them as low as the Security of the Inhabitants of the Frontiers would permit.* 5
But ſtill I fear the Expenſes will be found great; though the Bounty of the Britiſh *Parliament has enabled you to diſcharge a large Part of it, and thereby reduced the Levies to be laid on the People, to defray theſe unhappy, though neceſſary Expenſes. But,*

Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes.*

There will ſtill remain a Part to be raiſed on the Inhabitants which it is your Duty to provide for, in the doing which I have no Reaſon to doubt of your Tenderneſs to the People; whoſe Duty it is, on their Part, to ſubmit with Cheerfulneſs to Expenſes originally undertaken for their own Defence.

Gentlemen of the Council and of the Houſe of Burgeſſes,

My Regard for the Welfare of this Colony is, I hope, too well known at this Day to admit of a Doubt: All I aſk in Return is that you ſhould all of you collectively, and every one particularly, engage earneſtly in the Work before you; and with ſerious Attention, cool Deliberation, zealous Affection to his Majeſty, and a ſalutary Unanimity, go through the important Points recommended to you, and all other Matters which ſhall occaſionally offer themſelves for your Determination.

Reſolved, That an humble Addreſs be made to his Honour the Governour, to return 6
him the Thanks of this Houſe for his kind and affectionate Speech, at the Opening of this Seſſion, and to aſſure him we are aſſembled with a full Reſolution to encounter any Fatigue that may be neceſſary in the Diſcharge of our Duty to his Majeſty, and effecting all imaginable Juſtice to the Community.

Ordered, That a Committee be appointed to draw up an Addreſs to the Governour, purſuant to the ſaid Reſolution; and it is referred to Mr *Landon Carter* and Mr *Attorney*, to prepare and bring the ſame.

Reſolved, That this Houſe will take the Governour's Speech into Conſideration on *Thurſday* next.

Mr *Speaker* reported that the Governour had delivered to him the ſeveral Letters mentioned in his Speech, which he had deſired him to lay before the Houſe.

And the ſaid *Letters* were read, and ordered to lie on the Table.

Two *Members* returned upon new Writs, having taken the Oaths appointed by Act of Parliament to be taken inſtead of the Oaths of Allegiance and Supremacy, and taken and ſubſcribed the Oath of Abjuration, and alſo ſubſcribed the Teſt, were admitted to 7
their Places in the Houſe.

Ordered, That an Addreſs be made to the Governour to order a new Writ to iſſue for electing a Burgeſs to ſerve in this preſent General Aſſembly for *Cumberland*, in the Room

Room of Mr *Carrington*, who hath accepted of the Office of Sheriff; and that Mr *Cary* do wait on his Honour with the ſaid Addreſs.

Ordered, That an Addreſs be made to the Governour, to order a new Writ to iſſue for electing a Burgeſs to ſerve in this preſent Aſſembly for the County of *Albemarle*, in the Room of Mr *Fry*, who ſince his Election hath accepted of the Office of Coroner; and that Mr *Walker* do wait on his Honour with the ſaid Addreſs.

Ordered, That an Addreſs be made to the Governour, to order a new Writ to iſſue for electing a Burgeſs to ſerve in this preſent General Aſſembly for the County of *King George*, in the Room of Mr *Charles Carter*, deceaſed; and that Mr *Cary* do wait on his Honour with the ſaid Addreſs.

Ordered, That an Addreſs be made to the Governour, to order a new Writ to iſſue for electing a Burgeſs to ſerve in this preſent General Aſſembly for the County of *Middle-*
8 *ſex*, in the Room of Mr *Ralph Wormeley*, who ſince his Election hath accepted a Place of Profit; and that Mr *John Smith* do wait on his Honour with the ſaid Addreſs.

Ordered, That an Addreſs be made to the Governour to order a new Writ to iſſue for electing a Burgeſs to ſerve in this preſent General Aſſembly for the County of *Halifax*, in the Room of Mr *Wade*, deceaſed; and that Mr *Bland* do wait on his Honour with the ſaid Addreſs.

Ordered, That the Reverend Mr *Price* be appointed Chaplain to this Houſe, and that he attend to read Prayers every Morning at 10 o'Clock.

Ordered, That the ſeveral Door Keepers be continued in their reſpective Offices, and that they give their Attendance accordingly.

And then the Houſe adjourned until To-morrow Morning 11 o'Clock.

Wednesday, the 31st of October, 5 Geo. III. 1764.

A *Member* returned on a new Writ, having taken the Oaths appointed by Act of Parliament to be taken inſtead of the Oaths of Allegiance and Supremacy, and taken and ſubſcribed the Oath of Abjuration, and alſo ſubſcribed the Teſt, was admitted to his Place in the Houſe.

Mr *Landon Carter* reported that the Committee appointed had, according to Order,
9 prepared an Addreſs to the Governour; which he read in his place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe, and is as follows:

Sir,

Permit us to make our grateful Acknowledgments to your Honour for your kind and affectionate Speech, at the Opening of this Seſſion. And that we may never be thought wanting in a proper filial Reſpect to our moſt gracious Sovereign (a Thing too Sacred to be omitted) we beg Leave to aſſure your Honour that we ſhall not, upon any Occaſion whatever, think any Endeavour (neceſſary to demonſtrate ſuch our Duty to his Majeſty) can be attended with a Fatigue which we will not with great Cheerfulneſs encounter.

We perſuade ourſelves that we have ſo well convinced Mankind of our ſtrict Attention to ſocial Juſtice, as at this Day to be ſufficiently ſecured from every the leaſt Doubt of our being governed by Motives truly upright in our Conduct; and we flatter ourſelves that, with every unprejudiced Member of the Community, not only our paſt but our future Tranſactions will appear in the ſame amiable Light, when impartially and judiciouſly conſidered. With ſuch ſalutary Ends conſtantly in our View, we hope we ſhall always be excuſed when we
10 *decline any Meaſure (however propoſed) that we do not think productive of them. We are ſo well ſatiſfied of your great Regard for the Welfare of this Colony, that we beg your Honour will reſt aſſured that every Engagement that you have entered into on our Part ſhall be attended to with that cool Deliberation, and Deſpatch, which you have recommended.*

Ordered, That the ſaid Addreſs be fairly tranſcribed, and preſented by the whole Houſe.

Ordered

Ordered, That the Committee who prepared the ſame do wait on the Governour, to know his Pleaſure when this Houſe ſhall attend his Honour to preſent it.

Ordered, That a Committee of Privileges and Elections be appointed, of the following Perſons:

Mr *Attorney*,
Mr *John Baylor*,
Mr *Landon Carter*,
Mr *Bernard Moore*,
Mr *William Digges*,
Mr *George Wythe*,
Mr *Benjamin Harriſon*,
Mr *Dudley Digges*,
Mr *Mann Page*,
Mr *Bland*,
Mr *John Page*,
Mr *Thomas Ludwell Lee*,
Mr *Richard Henry Lee*,
Mr *Lewis Burwell*,
Mr *Edmund Pendleton*,
Mr *Thomas Whiting*,
Mr *Lemuel Riddick*,
Mr *George Johnſton*,
Mr *John Woodbridge*.

And they are to meet and adjourn from Day to Day, and to examine, in the firſt Place, all Returns of Writs for electing Burgeſſes to ſerve in this preſent General Aſſembly, and to compare the ſame with the Form preſcribed by Law; and to take unto their Conſideration all ſuch Matters as ſhall or may come in Queſtion touching Returns, Elections, and Privileges, and to report their Proceedings, with their Opinions thereupon, from Time to Time, to the Houſe. And the ſaid Committee is to have Power to ſend for Perſons, Papers and Records, for their Information. 11

Ordered, That a Committee of Propoſitions and Grievances be appointed of the following Perſons:

Mr *Bland*,
Mr *Landon Carter*,
Mr *John Baylor*,
Mr *Moore*,
Mr *Cary*,
Mr *Edmund Pendleton*,
Mr *William Digges*,
Mr *Benjamin Harriſon*,
Mr *Wythe*,
Mr *Burwell*,
Mr *Charles Carter, K. George*,[1]
Mr *Thomas Ludwell Lee*,
Mr *Richard Henry Lee*,
Mr *Dudley Digges*,
Mr *Mann Page*,
Mr *John Page*,
Mr *Nelſon*,
Mr *Waſhington*,
Mr *Whiting*,
Mr *Eppes*,
Mr *Syme*,
Mr *Attorney-General*.
Mr *Moſeley*,
Mr *Lemuel Riddick*,
Mr *Robert Bolling*,
Mr *Francis Lee*,
Mr *Lewis*,
Mr *Philip Johnſon*,
Mr *George Johnſton*,
Mr *John Smith*,
Mr *Baſſett*,
Mr *Thomas Walker*,
Mr *Grymes*,
Mr *Wilſon*,
Mr *James Taylor*,
Mr *Kennon*, 12
Mr *Walke*,
Mr *Harwood*,
Mr *Braxton*,
Mr *Tabb*,
Mr *Charles Carter, Corotoman*,
Mr *Woodbridge*,
Mr *Bowler Cocke*.

And they are to meet and adjourn from Day to Day, and to take into their Conſideration all Propoſitions and Grievances that ſhall come legally certified to this Aſſembly, and to report their Proceedings, with their Opinions thereupon, from Time to Time, to the Houſe: And all ſuch Propoſitions and Grievances are to be delivered to the Clerk of the Houſe, and by him to the ſaid Committee, of Courſe. And the ſaid Committee is to have Power to ſend for Perſons, Papers, and Records, for their Information.

Ordered

[1] King George County.

Ordered, That a Committee of Publick Claims be appointed, of the following Perſons:

Mr *Walke*,
Mr *Ball*,
Mr *Richard Lee*,
Mr *Wilſon*,
Mr *Thornton*,
13 Mr *Hartwell Cocke*,
Mr *Travis*,
Mr *Chriſtian*,
Mr *Weſt*,
Mr *Willis Riddick*,
Mr *John Lee*,
Mr *Adams*,
Mr *Hull*,
Mr *Archibald Cary*,
Mr *Bradley*,
Mr *Upſhaw*,
Mr *Harmanſon*,
Mr *Maſon*,
Mr *Simmonds*,
Mr *Littlepage*,
Mr *Harwood*,
Mr *Parramore*,
Mr *Rutherford*,
Mr *Hamilton*,
Mr *Payne*,
Mr *Terry*,
Mr *Read*.

And they are to meet and adjourn from Day to Day, and to take into their Conſideration all publick Claims referred from the laſt to this Seſſion of Aſſembly, and alſo all ſuch Claims as ſhall be regularly certified and preſented to this Seſſion; and to report their Proceedings, with their Opinions thereon, to the Houſe, when they have gone through the ſaid Claims. And they are to have Power to ſend for Perſons, Papers, and Records, for their Information.

Ordered, That a Committee for Courts of Juſtice be appointed, of the following Perſons:

Mr *Landon Carter*,
Mr *Wythe*,
Mr *Joſeph Cabell*,
Mr *Le Grand*,
Mr *Thomas Harriſon*,
Mr *James Taylor*,
14 Mr *John Pendleton*,
Mr *Dalby*,
Mr *Thomas*,
Mr *Edmund Pendleton*,
Mr *William Cabell*,
Mr *Barber*,
Mr *Mercer*,
Mr *Bailey*,
Mr *Read*,
Mr *Drew*,
Mr *Edmunds*,
Mr *Joſiah Payne*,
Mr *Talbot*.

And they are to meet and adjourn from Day to Day, and to take into their Conſideration all Matters relating to Courts of Juſtice, and ſuch other Matters as ſhall from Time to Time be referred to them, and report their Proceedings, with their Opinions thereon, to the Houſe. And the ſaid Committee are to inſpect the Journals of the 5th and 6th Seſſions of this preſent General Aſſembly, and draw up a State of the Matters then depending and undetermined, and the Progreſs that was made therein, and report the ſame to the Houſe: That they do alſo examine what Laws have expired ſince the laſt Seſſion, and inſpect ſuch temporary Laws as will expire with the End of this Seſſion, or are near expiring; and report the ſame to the Houſe, with their Opinions which of them are fit to be revived and continued.

Ordered, That a Committee of Trade be appointed of the following Perſons:

Mr *Moſeley*,
Mr *Walke*,
Mr *Whiting*,
15 Mr *Chriſtian*,
Mr *Upſhaw*,
Mr *Lemuel Riddick*,
Mr *John Smith*,
Mr *Adams*,
Mr *Benjamin Harriſon*,
Mr *Blagrave*,
Mr *Bradley*,
Mr *Lewis*,
Mr *Terry*,
Mr *Richard Henry Lee*,
Mr *Wythe*,
Mr *Veal*,
Mr *Simpſon*,
Mr *Marſhall*.

And

And they are to meet and adjourn from Day to Day, and to take into their Conſideration all Things relating to the Trade of this Colony, and all Matters that ſhall be from Time to Time to them referred; and to report their Proceedings, with their Opinions thereon, to the Houſe. And the ſaid Committee are to have Power to ſend for Perſons, Papers, and Records, for their Information.

Ordered, That Mr *George Davenport* be continued Clerk to the Committees of Privileges and Elections, and Propoſitions and Grievances; Mr *Miles Cary*, Clerk to the Committee of Claims; Mr *Thomas Everard*, Clerk to the Committee for Courts of Juſtice; and Mr *Hind Ruſſell*, to the Committee of Trade; and that they give their Attendance accordingly.

A *Petition* of *Jacob Boius*, ſetting forth that being a Soldier in Captain *Ingles's* Company at *Chiſwell's* Mines, in *January* laſt, was unfortunately left in the Deſerts of the Mountains, and through the Inclemency of the Weather got froſtbitten, by which 16
Means he hath loſt the Uſe of his Feet and rendered incapable of getting his Livelihood; and praying the Conſideration of the Houſe therein, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Sundry *Claims* from the Counties of *Richmond*, *Prince George*, *Weſtmoreland*, *Lunenburg*, and *Southampton*, for taking up ſeveral Runaways therein mentioned, and for ſundry publick Services therein alſo mentioned, were ſeverally preſented to the Houſe, and referred to the Conſideration of the Committee of Claims.

A *Petition* of Mr *Nathaniel Weſt Dandridge*, complaining of an undue Election and Return of Mr *James Littlepage* to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Hanover*, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Committee of Privileges and Elections; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

An *Account* of *John Hickman*, for Ferriages of Runaways, &c., was preſented to the Houſe and received, and referred to the Committee of Claims.

And then the Houſe adjourned until To-morrow Morning 11 o'Clock. 17

Thurſday, the 1ſt of November, 5 Geo. III. 1764.

MR *Bland*, from the Committee of Privileges and Elections, reported that the Committee had had under their Conſideration the Returns of ſeveral Writs for electing Burgeſſes to ſerve in this preſent General Aſſembly for the Counties of *Hanover*, *Iſle* of *Wight*, and *Lunenburg*, and had agreed on a Report, and come to two Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That the Returns of the Writs for electing Burgeſſes for the Counties of *Hanover* and *Iſle* of *Wight* are made in the Form preſcribed by Law.

Reſolved, That the Return of the Writ for electing a Burgeſs for the County of *Lunenburg* is not made in the Form preſcribed by Law.

Ordered, That the Return of the Writ mentioned in the laſt Reſolution be amended by the Clerk at the Table.

Sundry *Claims* of *John Ford*, *John Hickman*, *John Durham*, *Benjamin Wheeler*, *John Mullins*, Sen. *Benjamin Thomas*, *Matthew Moore*, and *Daniel Hawmach*, of the County of *Albemarle*, for taking up ſeveral Runaways therein mentioned, were ſeverally 18
preſented to the Houſe and read.

Ordered, That the ſaid Claims be referred to the Conſideration of the Committee of Claims.

A *Petition* of *John Carlyle*, praying to be reimburſed a Judgment for £ 35, and Coſt of Suit, obtained againſt him in the General Court by *William Cocks*, in Conſequence of a Commiſſion received from the late Honourable *Robert Dinwiddie*, Eſq; appointing him

him Commiſſary of Proviſions, &c. for an Expedition, in the Year 1754, intended to the *Ohio*, was preſented to the Houſe and read; and the Queſtion being put that the ſaid Petition be referred to a Committee,

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

A *Petition* of *John Aſhworth*, for Waggonage, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Committee of Claims; that they examine into the Allegations thereof and report the ſame, with their Opinion thereon, to the Houſe.

A *Petition* of ſundry Inhabitants of the County of *Lunenburg*, praying that the ſame
19 may be divided into three diſtinct Counties, and that an Act may be paſſed for that Purpoſe.

Alſo a *Petition* of ſundry Inhabitants of the County of *Fauquier*, praying that the Court Day of the ſaid County may be altered to the 4th *Monday* in every Month, and that an Act may be paſſed for that Purpoſe; were ſeverally preſented to the Houſe and read.

Ordered, That the ſaid Petitions be referred to the Committee of Propoſitions and Grievances; that they examine the Allegations thereof reſpectively, and report their Opinion thereon to the Houſe.

A *Petition* of ſundry Inhabitants of the Pariſh of *Truro*, in the County of *Fairfax*, praying that the ſaid Pariſh may be divided into two diſtinct Pariſhes, was preſented to the Houſe and read.

Ordered, That a Bill be brought in agreeable to the Prayer of the ſaid Petition, and it is referred to Mr *George Johnſton* and Mr *Weſt* to prepare and bring in the ſame.

Mr *Speaker* laid before the Houſe a Letter which he received in *July* laſt from the Committee appointed by the Honourable Houſe of Repreſentatives of the *Maſſachuſetts* Bay, relative to the late Act of Parliament concerning the Sugar Trade with the
20 foreign Colonies, &c. and the ſaid Letter was read, and ordered to lie on the Table.

The *Order* of the Day being read for the Houſe to take into Conſideration the Governour's Speech,

Reſolved, That this Houſe will reſolve itſelf into a Committee on the ſaid Speech Tomorrow.

Mr *Landon Carter* reported that the Committee had, according to Order, waited on the Governour to know his Pleaſure when this Houſe ſhould attend him with their Addreſs; and that he was pleaſed to appoint Tomorrow, and to ſay he would ſignify by a Meſſage to the Houſe when he was ready to receive it.

A *Petition* of ſundry Inhabitants of the County of *Culpeper*, praying that the Court Day of the ſaid County may be altered, and that an Act may be paſſed for that Purpoſe.

Three *Petitions* of ſundry Freeholders and Inhabitants of the Pariſhes of *Bromfield* and *St. Mark's*, in the County of *Culpeper*, praying that the ſaid Pariſhes may be divided.

Alſo a *Petition* of the Miniſter, Veſtry, and divers Freeholders and Inhabitants of the ſaid Pariſhes, in Oppoſition thereto, were ſeverally preſented to the Houſe and read.

Ordered, That the ſaid Petitions be referred to the Committee of Propoſitions and
21 Grievances; that they examine into the Allegations thereof, and report the ſame with their Opinion thereon, to the Houſe.

And then the Houſe adjourned until To-morrow Morning 11 o'Clock.

Friday, the 2nd of November. 5 Geo. III. 1764.

A *Claim* of *George Bray*, for taking up a Runaway therein mentioned, was preſented to the Houſe, and received, and referred to the Conſideration of the Committee of Claims.

On a *Motion* made,

Ordered, That the Treaſurer be directed to agree with Workmen to erect a Gallery acroſs this Houſe.

A *Petition* of ſundry Merchants, in Behalf of themſelves and the Reſt of the Merchants and Factors, and their Conſtituents, trading in and to this Colony, ſetting forth that

that they are under the greateſt Difficulties in recovering their juſt Debts, when after a long Credit they are under a Neceſſity of bringing Suits for that Purpoſe, the County Courts through the Colony being for the moſt Part ſo very dilatory, that, until of late Years, a Judgment might have been obtained in the General Court much ſooner than in moſt of the County Courts, but, through the great Increaſe of Buſineſs in that Court for 22
ſome Years paſt, and particularly through the great Abuſe that has of late obtained in ſetting aſide Office Judgments, by fraudulently and falſely pleading Payment in Actions of Debt brought on proteſted Bills of Exchange, and Specialties, the Judgments, which ought in thoſe Caſes to be final, are generally ſtopped for two Years, and often longer, by which Time it has often happened that both the Debtors and his Bail have removed, or become inſolvent.

That after obtaining Judgments and Executions, as well as in other Proceſs, the Sheriffs frequently fail to return the Writs, and afterwards falſe Returns thereon; and the Recovery of the Penalties for ſuch Defaults, as the Law now ſtands, is now ſo troubleſome and hazardous that few Perſons have ever attempted it.

That Sheriffs frequently take Bonds from Priſoners in Execution for keeping within the Priſon Bounds, and upon ſuch Priſoners eſcaping it has been adjudged that the Creditor was bound to take an Aſſignment of ſuch Bond, and that the Sheriff was not anſwerable until upon a Suit to be brought on ſuch Bond it appeared the Security proved inſufficient, when upon a third Suit brought againſt the Sheriff he would be anſwerable 23
for the Deficiency; and as in every of thoſe Suits a new Eſcape may happen, the Creditor, notwithſtanding the Coſts of any Number of Suits or Motions againſt the Sheriffs, which he may be put to, may never be nearer the Recovery of his Debt than he was at the Commencement of his original Suit.

That the Law, allowing the County Courts to lay off Priſon Bounds for the Preſervation of the Priſoners Health, has of late been greatly abuſed and perverted, it now being frequent for Priſoners in Execution to purchaſe Houſes within the Priſon Bounds, and therein to keep Ordinaries, or follow their other Buſineſs, and ſet their Creditors at open Defiance; while others, after lying in Priſon until they have ſpent their Eſtates, which would have ſatiſfied their Creditors, inſiſt on their being releaſed unleſs Security is given by ſuch Creditors whom they have ſo defrauded for their Priſon Fees.

That they humbly conceive their ſaid Complaints might in a great Meaſure be redreſſed, by obliging the Juſtices of each County Court to execute their Office and Duty, for which they ought to be allowed, or by Aſſize Courts, or ſuch other Method as this Houſe ſhall think moſt effectual for the greateſt Deſpatch of Buſineſs; and that no Plea 24
of Payment ſhould be admitted but upon Oath, particularly mentioning the Sum paid. That a Docket of all Executions iſſued ſince the preceding Court ſhould be called over every Court when the Sheriffs ſhould attend and return them, and diſcharge ſuch of them as have been ſerved; or Judgment ſhould paſs againſt him and his Securities for the ſame; or he ſhould be mulcted for any Default, at the Court's Diſcretion. And laſtly, by declaring the Law concerning Eſcapes, and the Priſon Bounds, in ſuch Manner as would avoid Diverſity of Opinions concerning the ſame.

And further repreſented that the ſeveral Pilots, eſpecially in *Rappahannock* River, in Order to extort unreaſonable Fees, which the Ships arriving there are obliged to pay them, refuſe or neglect to take our Branches; and as the Penalty they hereby incur is only to be recovered by Action of Debt, in which they inſiſt ſpecial Bail is not to be given, a Judgment is ſcarce to be recovered while the Witneſſes, who are to prove the Facts, ſtay in the Country; and when had, may prove of no Value. And that a more eaſy and expeditious Method of Recovery would effectually oblige all Pilots to ſubmit to the Law now in Force, ſo eſſentially neceſſary to the Safety of Shipping.

And they likewiſe repreſented that the Tobacco Law would be found much better 25
to promote that Staple Commodity if the Number of Warehouſes was leſſened, the Inſpectors Salaries and the Warehouſe Rents increaſed, the Proprietors obliged to build ſufficient Warehouſes to receive all Tobacco brought to them, the Inſpectors exempted from bearing or accepting any other Office civil or military, if no Tobacco weighing leſs than

than 950 lbs. neat was to be entered as Crop, and if all Tobacco refuſed was obliged to be picked by the Owners, or ſworn Pickers, within a reaſonable limited Time, or burnt at the Expiration thereof.

And laſtly, if they were allowed, for ſecuring their Debts, to take Bonds, with Warrant of Attorney, to confeſs Judgment thereon, which is the common Security in *England*, *Ireland*, and the *Engliſh* Dominions in *America* (this Colony only excepted) they humbly conceive nothing could ſo effectually contribute to retrieve the Credit which, in the preſent Circumſtances of the Colony, they can neither give in their own Behalf or in that of their Conſtituents, without ſome ſuch Security. And praying the Conſideration of the Houſe in the Premiſes, was preſented to the Houſe and read.

26 *Ordered*, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Report* of the Commiſſioners appointed by Act of Aſſembly to examine, ſtate, and ſettle, the Accounts of the Pay, Proviſions, Arms, and Neceſſaries, for the Militia of the Counties of *Hampſhire*, *Frederick*, *Culpeper*, *Prince William*, *Loudoun* and *Fauquier*, was preſented to the Houſe and received.

Ordered, That the ſaid Report be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Mr *Bland*, from the Committee of Privileges and Elections, reported that the Committee had had under their Conſideration the Petition of *Nathaniel Weſt Dandridge*, to them referred, complaining of an undue Election and Return of Mr *James Littlepage* to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Hanover*, and had come to the following Reſolution thereon; which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe.

Reſolved, That the Petitioner do, at leaſt ten Days before *Friday* the 23^d of this
27 Inſtant, which is appointed for examining Witneſſes before this Committee as to the Subject Matter of the ſaid Petition, give Notice to the ſitting Member of any illegal treating of the Freeholders of the ſaid County before the ſaid Election, either by the ſitting Member, or by any other Perſon in his Behalf; which the Petitioner ſhall then offer in Evidence to the ſaid Committee.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that the Committee had had under their Conſideration a Petition of ſundry Inhabitants of the County of *Lunenburg*, praying that the three Pariſhes of *Cornwall*, *St. James's*, and *Cumberland*, in the ſaid County, may be erected into three diſtinct Counties, and had come to the following Reſolution thereon; which he read in his Place, and then delivered in at the Table where the ſame was again twice read, and agreed to by the Houſe, as follows:

Reſolved, That the ſaid Petition is reaſonable.

Ordered, That it be an Inſtruction to the ſaid Committee to prepare and bring in a Bill purſuant to the ſaid Reſolution.

A *Meſſage* from the Governour was delivered by Mr *Walthoe*.

28 Mr *Speaker*,

I am commanded by the Governour to acquaint this Houſe that his Honour is now ready to receive their Addreſs in the Council Chamber.

Mr *Speaker*, with the Houſe, went up accordingly; and being returned, reported that he had, with the Houſe, attended the Governour in the Council Chamber, and preſented the Addreſs of this Houſe to him. To which he was pleaſed to anſwer:

Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes*,

I Return you my ſincere Thanks for the filial Reſpect and Duty to his Majeſty, and Affection to me, which you expreſs in this Addreſs.

The

The moſt convincing Proofs you can give of that Reſpect and Duty will be to engage in Meaſures recommended to you by his Majeſty's Miniſters through me, and will be the moſt acceptable Marks you can give me of your Affection, at the ſame Time that it will beſt contribute to the Peace and Happineſs of the Colony.

A *Petition* of *George Darr*, a wounded and diſabled Soldier, in the Service of this Colony, praying ſuch Relief as this Houſe ſhall think reaſonable, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of 29
Claims; that they examine into the Allegations thereof and report the ſame, with their Opinion thereon, to the Houſe.

The *Order* of the Day being read for the Houſe to take into Conſideration the Governour's Speech,

Reſolved, That this Houſe will reſolve itſelf into a Committee on the ſaid Speech on *Monday* next.

A *Petition* of ſundry Freeholders and Inhabitants of the County of *Amelia*, praying that the Tobacco Law may be amended, and that the Quality of Tobacco at the ſeveral Inſpections may be aſcertained by the Inſpectors and inſerted in their Notes, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame with their Opinion thereon, to the Houſe.

And then the Houſe adjourned until To-morrow Morning 11 o'Clock.

Saturday, the 3rd of November. 5 Geo. III. 1764.

A *Petition* of *Thomas Booth*, ſetting forth that in the Year 1760 he received Orders and recruiting Inſtructions to enliſt Men for the Expedition intended againſt the *Cherokee* Indians, and did enliſt 15 Men, 3 of whom were refuſed by the 30
Officer, as being too ſmall, although able bodied, and ſuch as he was inſtructed to enliſt, and did advance to 6 of the ſaid Men the Bounty of £10 each, beſides the Expenſes of recruiting and their Subſiſtence, for which he hath received no Satiſfaction; and praying the Direction of the Houſe therein, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Mr *George Johnſton* preſented to the Houſe, according to Order, a Bill For Dividing the Pariſh of *Truro*, in the County of *Fairfax;* and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* of *Robert Brackenridge*, ſetting forth that he commanded a Committee of Militia of *Auguſta* County, which were ſtationed at Fort *George* for Part of the Month of *December*, all *January*, and to the 22d Day of *February*, 1759; that ſome Time afterwards he returned a Pay Roll for the ſaid Company for each Month, to be ſettled at *Williamſburg*, and has ſince received by the Hands of Mr *Chriſtian* Pay for the Months of *December* and *February*, but none for *January*, by Reaſon of the Pay Roll being 31
miſlaid; that he has been ſued by one of the private Men of the Company, and expects Suits will be commenced againſt him by all on that Account; and praying that an Inquiry may be made in the Premiſes, and that he may be granted ſuch Relief as ſhall be thought reaſonable.

Alſo a *Petition* of *Thomas Drake*, praying to be allowed for 3 Servants who enliſted into the *Virginia* Regiment in the Year 1759, of whom he has never ſince heard, and for whom he has received no further Satiſfaction than £5 given him by one of the ſaid Servants, being ſo much of the Bounty allowed him on enliſting; and praying to be allowed

allowed for his ſaid Servants Time, as ſhall be adjudged reaſonable; were ſeverally preſented to the Houſe and read.

Ordered, That the ſaid Petitions be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Several *Accounts* of *William Carven*, for Horſe Hire, and Proviſions furniſhed for the *Amelia* Militia, and ſundry other Services performed by him for the Service of this Colony.

82 *Alſo* a *Claim* of *William Price*, of *Culpeper*, for a Gun, a Powder Horn, Shot Bag, Powder, and Lead, to the Value of 32*s*. 6*d*. which were taken from him by the Commanding Officer of *Culpeper*, for the Uſe of the Militia of the ſaid County, and for which he hath received no Satiſfaction; were ſeverally preſented to the Houſe and received.

Ordered, That the ſaid Accounts and Claims be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To prevent Perſons driving diſtempered Cattle from *North Carolina*, and other Places, into this Colony; and it is referred to Mr *Cary*, and Mr *Adams*, to prepare and bring in the ſame.

Sundry *Claims* of *William Simmonds*, *William Sharpe*, *Samuel Price*, and *John Richardſon*, for taking up Runaways therein mentioned, were ſeverally preſented to the Houſe and received, and referred to the Conſideration of the Committee of Claims.

And then the Houſe adjourned until Monday Morning 11 o'Clock.

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33 Monday, the 5th of November, 5 Geo. III. 1764.

A *Petition* of *Levin Rodgers*, and ſundry Inhabitants of the County of *Accomack*, praying that a Ferry may be eſtabliſhed at the Town of *Onancock*, in the ſaid County, acroſs the Bay to *York*, *Hampton*, and *Norfolk*, and the adjacent Places, and that an Act may paſs for that Purpoſe.

Alſo a *Petition* of *John Wiſe*, Jun. and ſundry Inhabitants of the ſaid County, to the ſame Effect.

Alſo a *Petition* of *Littleton* and *Severn Eyre*, in Oppoſition thereto.

Alſo a *Petition* of *George Wilſon Spooner*, praying that a Ferry may be eſtabliſhed from his Landing over *Potowmack* River, to *Cedar* Point, on the oppoſite Shore, in the Province of *Maryland*, were ſeverally preſented to the Houſe and read.

Ordered, That the ſaid Petitions be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinions thereon, to the Houſe.

A *Petition* of *Richard Bland*, and *William Fleming*, ſurviving Executors of *James Deans*, deceaſed, ſetting forth that a Negro Woman Slave named *Abbe*, belonging to the
34 ſaid *Dean's* Eſtate, being committed to the Gaol of *Prince George* County on Suſpicion of poiſoning Doctor *James Tyrie*, ſince deceaſed, before the Time appointed for the Trial, ſhe being conſcious of her Guilt, hanged herſelf in the ſaid Gaol; and praying to be paid the Value of the ſaid Slave by the Publick, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims, that they examine into the Allegations thereof, and report the ſame with their Opinion thereon, to the Houſe.

Mr *Cary*, from the Committee of Claims, reported that the ſaid Committee had had under their Conſideration the Petition of *Jacob Boius* and *George Darr*, to them referred, and had come to the following Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe.

Reſolved

Reſolved, That the Allegations of the ſaid *Jacob Boius's* Petition are true; and that he ought to be allowed the Sum of £25 as a Conſideration for the Hardſhips he ſuffered in the Service of the Colony, and the further Sum of £5 *per Annum* during his Life.

Reſolved, That the Allegations of the ſaid *George Darr's* Petition are true; and that 35
he ought to be allowed the Sum of £5 *per Annum* during his Life, as a Conſideration for the Wound he received in the Service of this Colony.

Ordered, That it be an Inſtruction to the ſaid Committee to make the ſaid Allowances in the Book of Claims, purſuant to the ſaid Reſolutions.

A *Bill* For dividing the Pariſh of *Truro*, in the County of *Fairfax*, was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

The *Order* of the Day being read for the Houſe to take into Conſideration the Governour's Speech.

Reſolved, That this Houſe will reſolve itſelf into a Committee on the ſaid Speech Tomorrow.

And then the Houſe adjourned until To-morrow Morning 11 o'Clock.

Tuesday, the 6th of November, 5 Geo. III. 1764.

MR *Cary*, from the Committee of Claims, reported that the Committee had had under their Conſideration the Petition of *Thomas Drake* and *Robert Brakenridge* to them referred, and had come to the following Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe.

Reſolved, That the Petition of the ſaid *Thomas Drake* be rejected, being no publick 36
Claim.

Reſolved, That the Allegations of the Petition of the ſaid *Robert Brackenridge* are true, and that he be allowed the Sum of £46. 2. 10 for the Pay of himſelf and Company, according to a Muſter Roll, certified by Commiſſioners, which appears to have been miſlaid, and for which no Satiſfaction hath been received.

A *Petition* of the Truſtees, Freeholders, and Inhabitants of the Town of *Alexandria*, praying the Repeal of a certain Clauſe in the late Act of Aſſembly For adding to and enlarging the Town *of Alexandria*, the ſame being found impracticable and expenſive, and that they may be put on the ſame Footing with the Proprietors of the additional Lots in the neighbouring Town of *Dumfries* was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations, thereof, and report the ſame, with their Opinions thereon, to the Houſe.

A *Petition* of *Alexander Waugh*, ſetting forth that in the Year 1759 he received recruiting Inſtructions from his Honour the Governour, and did recruit 66 Men, which were all received; but upon ſettling his Accounts with the Commiſſioners in *Williamſ-* 37
burg was allowed by them only 15*s*. a Man for recruiting, and 8*d*. a Day for their Subſiſtence, whereas other Officers of the Regiment, who ſettled their Accounts with the Pay-Maſter, were allowed 30*s*. a Day for each Recruit, and 1*s*. a Day for Subſiſtence: And further, that one of the ſaid Recruits was ſoon after his enliſting arreſted by a Sheriff for Debt; and not being acquainted with the Conſequences, refuſed to let the Sheriff carry him away, ſince which he hath been ſued for the Debt, and obliged to pay it, with Coſts: And praying the Conſideration of the Houſe therein, was preſented to the Houſe and read; and the Queſtion being put that the ſaid Petition be referred to a Committee,

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

A *Petition* of ſundry Freeholders and Inhabitants of the Pariſh of *St. George*, in the County of *Spotſylvania*, ſetting forth that by Reaſon of the great Extent of the ſaid Pariſh

Pariſh the ſame is become inconvenient to the Inhabitants thereof; and praying the ſaid Pariſh may be divided, was preſented to the Houſe and read.

38 *Ordered*, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Claim* of *Vivion Brooking*, for taking up a Runaway therein mentioned, was preſented to the Houſe and received, and referred to the Conſideration of the Committee of Claims.

An engroſſed *Bill*, entitled, *An Act*[1] *for dividing the Pariſh of* Truro, *in the County of* Fairfax, was read a third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *George Johnſton* do carry up the ſaid Bill to the Council for their Concurrence.

The *Order* of the Day being read for the Houſe to take into Conſideration the Governour's Speech.

Reſolved, That this Houſe will reſolve itſelf into a Committee on the ſaid Speech immediately.

Ordered, That the ſeveral Letters and Papers laid before the Houſe by the Governour's Direction be referred to the Conſideration of the ſaid Committee.

And then the Houſe reſolved itſelf into a Committee on the ſaid Speech and Letters; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair and Mr *Attorney*
39 reported that the Committee had had the ſaid Speech and Letters under their Conſideration, but not having Time to go through the ſame they had directed him to move for Leave to ſit again.

Reſolved, That this Houſe will again reſolve itſelf into a Committee on the ſaid Speech Tomorrow.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock.

Wednesday, the 7th of November, 5 Geo. III. 1764.

A *Petition* of *James Boyd*, ſetting forth that his Negro Man *Bob*, after being apprehended in the County of *Hanover* for a Runaway, and committed to the Cuſtody of a Conſtable of the ſaid County, made a deſperate Attempt on the Life of the ſaid Conſtable, who in his own Defence killed the ſaid Slave; and praying to be allowed for him by the Publick.

Alſo two *Petitions* of *John Armſtrong*, and *Lanty Armſtrong*, late Sergeants in the Company commanded by Capt. *Richard Pearis* in the *Cherokee* Country, praying to be allowed their Pay from the 2d of *April* 1756 to the 25th of *June* 1757, for the ſaid Service; were ſeverally preſented to the Houſe and read.

Ordered, That the ſaid Petitions be referred to the Conſideration of the Committee of
40 Claims; that they examine into the Allegation thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Ordered, That Mr *Fleming* be added to the Committee of Propoſitions and Grievances, and Mr *Calloway* to the Committee of Claims.

A *Repreſentation* of *George Pitt*, Keeper of the Magazine in the City of *Williamſburg*, ſetting forth that there is in the Magazine a large Quantity of Muſkets, which have been examined and reported as unfit for Uſe, and are now lying as Lumber therein, which might be repaired without any great Expenſe. That there are alſo ſundry other Things which might be ſold, and which will be wholly uſeleſs if ſuffered to continue any longer where they are. That the Barrels in which the publick Powder is contained are in very bad Order, to the great Danger of the Magazine, eſpecially as the Magazine itſelf wants repairing, and praying the Direction of the Houſe therein, was preſented to the Houſe and read.

Ordered

[1] Hening, VIII. p. 43.

Ordered, That the ſaid Repreſentation be referred to the Conſideration of Mr *Attorney*, Mr *Burwell*, Mr *Philip Johnſon*, and Mr *Grymes*; that they examine the Magazine, and the Stores therein belonging to the Publick, and report to the Houſe what Repairs are neceſſary to be made to the Repoſitory of Arms, and what Stores it may be proper to diſpoſe of.

A *Petition* of *John McNelly*, Armorer in the late *Virginia* Regiment, ſetting forth 41
that he was employed by Colonel *Adam Stephen* for three Months in repairing the Arms of the ſaid Regiment, for which he was to have received the Sum of £15. 9. 9, but hath not received that Sum, or any other Gratuity for the ſame; and praying the Conſideration of the Houſe in the Premiſes, was preſented to the Houſe and read.

Ordered, That the ſaid Petitions be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Petition* of the Veſtry of the Pariſh of *Antrim*, in the County of *Halifax*, praying to be reimburſed their Charges for the Maintenance of *John Ray*, a Soldier in Capt. *Blagg's* Company, who was taken ſick on his March, and left a Charge to the ſaid Pariſh, was preſented to the Houſe and read; and the Queſtion being put that the ſaid Petition be referred to a Committee,

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

Ordered, That the Committee appointed to correſpond with the Agent of this Colony in *Great Britain*, purſuant to an Act of Aſſembly For appointing an Agent, do lay the Agent's Letters received ſince the Meeting of the laſt Seſſion of Aſſembly, and their 42
Anſwers thereto, before the Houſe.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, preſented to the Houſe, according to Order, a Bill For dividing the County of *Lunenburg* into three diſtinct Counties, and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* of the Inſpectors of *Pungoteague* and *Naſſwaddox* Warehouſes, in the Counties of *Accomack* and *Northampton*, ſetting forth that the Quantity of Tobacco brought to the ſaid Warehouſes is of late greatly increaſed; and their Trouble of Courſe augmented; and praying that their Salaries may be enlarged, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Mr *Attorney*, from the Committee of Correſpondence, according to Order, laid before the Houſe the Agent's Letters, together with their Anſwers.

Ordered, That the ſaid Letters and Anſwers do lie on the Table.

Three *Petitions* of *Dougal Campbell*, *John Greagh*, and *Richard Bolton*, late Soldiers in 43
the *Virginia* Regiment, ſetting forth that the Severity of the Service, in which they were engaged upwards of ſeven Years, hath rendered them diſabled and infirm, and entirely incapable of acquiring a Maintenance for themſelves and Families; and praying the Conſideration of the Houſe in the Premiſes, were ſeverally preſented to the Houſe and Read.

Ordered, That the ſaid Petitions be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

The *Order* of the Day being read, the Houſe reſolved itſelf into a Committee to take into their further Conſideration the Governour's Speech, together with the ſeveral Letters and Papers to the ſaid Committee referred; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had had the ſaid Speech, Letters, and Papers, under their further Conſideration, and had gone through the ſame, and come to ſeveral Reſolutions thereon, which they had directed him to report to the Houſe.

Reſolved, That this Houſe will receive the ſaid Report Tomorrow.

And then the Houſe adjourned until Tomorrow Morning 11 o'Clock. 44

Thurſday

Thurſday, the 8th of November, 5 Geo. III. 1764.

A *Claim* of *John Euſtace*, for taking up a Runaway therein mentioned, was preſented to the Houſe and received.

Ordered, That the ſaid Claim be referred to the Conſideration of the Committee of Claims.

Mr *Attorney*, from the Committee of the whole Houſe, reported, according to Order, that the Committee had had under their Conſideration the Governour's Speech, and the Letters and Papers to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to, with ſome Amendments, and are as follow:

Reſolved, That an humble Addreſs be made to his Honour the Governour, to aſſure him that we have with great Attention reconſidered the Complaint of the *Britiſh* Merchants to the Right Honourable the Board of Trade, relative to our Paper Money, with the Reſolutions of their Lordſhips thereon recommended in his Honour's Speech; and
45 at the ſame Time have reviſed, as well the Laws under which the Paper Money was emitted, as thoſe directing the Exchange at which Judgment for Sterling Debts are to be diſcharged, and alſo reviſed the Reaſons preſented to his Honour in a former Seſſion in Support of the Juſtice of thoſe Laws; and are ſtill of Opinion no Injury can happen to *Britiſh* Creditors from receiving their Debts in the Paper Money (except of a ſmall and accidental Nature, which cannot be provided againſt) ſince they are to be paid, and are paid, ſo much Paper as will place their Money in *Britain* without Loſs, which Method is preferable to the Payment in Sterling Specie here (if ſuch we had) as that Specie would not be remitted to *Britain* without a Loſs of Freight and Enſurance. But as we have not ſuch Specie, which the Merchants themſelves well know, we can ſuggeſt any Means, conſiſtent with natural Equity, by which Sterling Debts can be ſecured to be paid here in Sterling Money.

Reſolved, That the Matters recommended by the Right Honourable the Earl of *Halifax*, relative to the Poſt, is ſufficiently provided for by the Act of Aſſembly for the Settlement and Regulation of Ferries, and for Deſpatch of publick Expreſſes.

Reſolved, That ſuch of the Militia Accounts that are not brought to this Seſſion of
46 Aſſembly ought to be ſettled by Commiſſioners, to be appointed in the Country.

Ordered, That a Committee be appointed to draw up and Addreſs purſuant to the two firſt Reſolutions; and it is referred to Mr *Pendleton*, Mr *Mercer*, Mr *Wythe*, and Mr *Richard Henry Lee*, to prepare and bring in the ſame.

Ordered, That a Bill be brought in purſuant to the laſt Reſolution, and it is referred to the Committee of Claims to prepare and bring in the ſame.

Mr *Pendleton*, from the Committee of Courts of Juſtice, reported that the Committee had, according to Order, inſpected the Journals of the 4th, 5th and 6th Seſſions of this preſent General Aſſembly, and had agreed upon a Report; which he read in his Place, and then delivered in at the Table, where the ſame was again read, and is as follows:

That the *Petition* of *Nicholas Davies*, praying that a Ferry may be eſtabliſhed from his Land in the County of *Bedford*, near the Mouth of *Tuckahoe* Creek over the *Fluvannah* River, to his Land near the *Mill Stone* Quarry, in the County of *Amherſt;* alſo the Petition of ſundry Inhabitants of the upper End of the County of *Amherſt*, praying
47 that a Ferry may be eſtabliſhed from the Land of *Cornelius Thomas*, at or near the Mouth of *Mill* Creek, on the ſouth Side of the *Fluvannah* River, to the oppoſite Side of the Land of *Nicholas Davies*, in the County of *Bedford*, were preſented to the Houſe and read, and referred to the Conſideration of the Committee of Propoſitions and Grievances, to examine into the Allegations of the ſaid Petitions, and report their Opinion thereon to the Houſe: That the ſaid Committee made their Report, and the ſame was agreed to by the Houſe, that the Conſideration of the ſaid Petitions ought to be referred to the next Seſſion of Aſſembly.

That

That the *Petition* of Capt. *John Smith*, praying to be reimburſed the Sum of £75, for ſo much paid by him to his Lieutenant *Thomas Langdon*, for his Pay from *September* the 30th, 1755, to *June* the 25th, 1756, having never received any Satiſfaction for the ſame, was preſented to the Houſe and read, and referred to the Conſideration of the next Seſſion of Aſſembly.

That a *Petition* of *Bertrand Ewell*, ſetting forth that he was attending in the Cuſtody of the Sergeant at Arms, in Obedience to the Order of the Houſe, for having been guilty of a high Crime and Miſdemeanor, in preſenting an unjuſt Demand to the Houſe, claiming an Allowance to be made him for ſome Slaves employed by him in Iron Works, the 48
Owners of which are by Law exempted from paying Taxes for them, and begged Leave to repreſent that the ſaid Charge is entirely groundleſs, he having made a conſiderable Progreſs towards erecting a Furnace for carrying on an Iron Work on ſome of his Lands in the County of *Prince William*, having raiſed a Dam and cut Races for that Purpoſe, in which Work every Slave mentioned in his Claim had been employed, the Truth of which he was ready to verify; and praying to be diſcharged out of Cuſtody, and that proper Time might be allowed him to prove his Aſſertions, was preſented to the Houſe and read, and referred to the Committee of Privileges and Elections to examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe: That the ſaid Committee made their Report, and came to a Reſolution, which was agreed to by the Houſe, that the ſaid *Bertrand Ewell* be allowed Time until the next Seſſion of Aſſembly to prove the Allegations of the ſaid Petition; that in the mean Time he be diſcharged out of Cuſtody, paying Fees, and that the ſaid Petition be referred, to the Conſideration of the next Seſſion of Aſſembly.

That a *Petition* of *Richard Pearis*, praying to be allowed his Account due from the 49
Colony, when he was ordered out with Major *Andrew Lewis* to the *Cherokee* Nation, having never received any Satiſfaction for the ſame, was preſented to the Houſe and read, and referred to the Committee of Propoſitions and Grievances to examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe: That the ſaid Committee reported they had come to a Reſolution, which was agreed to by the Houſe, that the Article of £81.18 charged in the ſaid Account, for Horſes and Pack Saddles delivered to Colonel *David Stewart* for the Expedition againſt the *Shawaneſe*, ought to be referred to the Conſideration of the next Seſſion of Aſſembly.

That the *Petition* of *William Fraſer*, ſetting forth that he hath lately been at a great Expenſe in raiſing a Cauſey through the Marſh oppoſite to the publick Ferry, eſtabliſhed from his Plantation over *Mattapony* River to the Land of *George Braxton*, Eſq; deceaſed, by the Permiſſion of *Carter Braxton, Eſq;* Guardian to the ſaid *George's* Children; that the ſaid Cauſey will be of great Utility to the Publick if the Landing Place over the ſaid River was eſtabliſhed there; as it ſhortens the Paſſage near Half a Mile; and praying that he may be enabled to keep up the ſaid Cauſey, and that the ſame 50
may be eſtabliſhed the publick Landing over the ſaid River.

Alſo a *Petition* of ſundry Inhabitants of *Elizabeth City* County, praying that they may be empowered to build a Bridge over *Back* River, in the ſaid County; and a Petition of ſundry other Inhabitants of the ſaid County, in Oppoſition thereto, were preſented to the Houſe, and referred to the Committee of Propoſitions and Grievances to examine into the Allegations of the ſaid Petition, and to report the ſame, with their Opinions thereon, to the Houſe: That the Committee reported, and which was agreed to by the Houſe, that the Conſideration of the ſaid Petitions ſhould be referred to the Conſideration of the next Seſſion of Aſſembly.

That a *Petition* of the Inſpectors at *Morton's* Warehouſe, praying their Salaries may be augmented.

Alſo a *Petition* of the Inſpectors at *Gibſon's* Warehouſe, praying to be allowed for 840lbs. of Tobacco that was ſtolen out of the ſaid Warehouſe at two different Times, in the Months of *January* and *April*, 1763.

Alſo a *Petition* of the Miniſters and Veſtries of the Pariſhes of *St. Mark* and *Bromfield*, in the County of *Culpeper*, praying that the ſaid Pariſhes may be divided into three diſtinct Pariſhes.

Alſo

51 *Alſo* a *Petition* of divers Freeholders and other Inhabitants of the County of *Frederick*, praying that the ſaid County may be divided, by a Line to be run from *Aſhby's* Gap, a ſtraight Courſe, until it interſects the *Hampſhire* Line, and that an Act may paſs for that Purpoſe.

Alſo four *Petitions* from the ſaid County, in Oppoſition thereto.

Alſo a *Petition* of divers Inhabitants of that Part of the County of *Halifax* ſituated on *Hyco* River, praying that the Water Griſt Mill near the Mouth of the ſaid River, built in the Year 1761 by *James Hembrie*, and now in the Poſſeſſion of *Howard Hurſt*, may be diſcontinued, the ſame being a great Obſtruction to the Paſſage of Fiſh up the ſaid River, which wholly deprives the Petitioners of the Advantage of that Support for their Families, and that an Act may paſs for that Purpoſe.

Alſo a *Petition* of *James Hughes*, of the County of *Auguſta*, Planter, praying to be reimburſed the Sum of £10, 19. 8, being the Amount of a Judgment and Coſts obtained againſt him in the Court of the ſaid County, in the Year 1759, by one *Anderſon* of the ſaid County, in Conſequence of his having impreſſed two of his Horſes for the Uſe of
52 the Frontier Battalion notwithſtanding they were valued and delivered according to Law, and he had a Warrant from one of his Majeſty's Juſtices of the Peace of the ſaid County for ſo doing.

Alſo a *Petition* of the Miniſters, Church wardens, Veſtrymen, and others, Inhabitants of the Pariſhes of *Elizabeth River*, *Portſmouth*, and *St. Bride's* in the County of *Norfolk*, ſetting forth that great Inconveniences ariſe in the Execution of the Law paſſed in the firſt Year of his preſent Majeſty's Reign, by which the Lands and Slaves deviſed by the Will of *Matthew Godfrey*, deceaſed, to the Poor of the ſaid County, were veſted in the Truſtees of the ſaid County, to be hired out, in as much as there is no Perſon to take Care of the ſaid Slaves when ſick, or the Females when lying in, and Diſputes often ariſe between the ſaid Veſtries about the Diviſion of their Hire, and taking Care of the ſaid Slaves, and praying that an Act may paſs for making Partition of the ſaid Slaves among the ſaid Pariſhes, and that the ſaid Land, with the Appurtenances, may be valued by diſintereſted Perſons, and the Property thereof veſted in the Pariſh of *Elizabeth River*, for the Uſe of the Poor of the ſaid Pariſh, on their paying to the Veſtries of the other two Pariſhes their Proportion of ſuch Valuation, according to the Number
53 of Tithables in each of the ſaid Pariſhes, and that the Money ſo paid may be laid out in other Lands, and be appropriated to the Uſe of the Poor of the ſaid Pariſhes.

Alſo a *Petition* of ſundry Inhabitants of the County of *Hampſhire*, praying that an Act may be paſſed, granting a Premium to encourage the killing of Wolves in that and the neighbouring Counties on the Frontiers of this Colony, that a Peſt ſo numerous and deſtructive to their Stocks may be put an End to.

Alſo a *Petition* of *James Walker*, ſetting forth that he was a Lieutenant in the Frontier Battalion in the Year 1759, and recruited 60 Men for the ſaid Battalion, and was only allowed 15*s.* a Man for recruiting, and 8*d.* a Day for Subſiſtence; that he hath been informed that the Officers have ſince been allowed 30*s.* a Man, and 1*s.* a Day for recruiting Expenſes and Subſiſtence, and praying the Conſideration of the Houſe therein, and that his Allowance may be made adequate to theirs.

Alſo a *Petition* of *Henry Darnell*, praying that he may be allowed for three Recruits, who being taken ſick upon the Road before they arrived at the Place of Rendezvous was refuſed by the Commander, as unfit for the Duty they were intended for.

Alſo a *Petition* of *John Gregg*, by his Guardian *John Baylis*, ſetting forth that by
54 an Act of Aſſembly paſſed in the fourth Seſſion of this Aſſembly, for the Removal of *Occoquan* Inſpection to *Colcheſter*, the ſaid *Gregg* ſuffered conſiderable Damages, he having ſunk a large Sum of Money in Building and repairing ſeveral Warehouſes for the Reception and Security of Tobacco there, which the ſaid Law has rendered uſeleſs and unprofitable to him; and praying the Conſideration of the Houſe therein.

Alſo a *Petition* of *John Terrier*, of the County of *King George*, praying to be allowed ſome Compenſation for the Ravages committed by the *Virginia* Regiment during their Encampment on his Plantation, in the Year 1762, to a large Amount; were ſeverally

preſented

preſented to the Houſe and read, and referred to the Conſideration of the next Seſſion of Aſſembly.

It alſo appears to your *Committee* that upon the Petition of *Edward Hubbard* and *James Gunn*, Captains of two Companies of Artificers employed on the Works at *Pittſburg* the Houſe reſolved that the Sum of £453. 3. 2 ought to be allowed to the ſaid *James Gunn* for his Company's Pay, and that he ſhould be obliged to account for the Diſburſements of the ſame upon Oath, and produce the Diſcharges of the ſeveral Claimants to the next Seſſion of Aſſembly; alſo that the Sum of £361. 17. 6 be paid to Lieutenant *Alexander Waugh* (to whom the ſaid *Hubbard* had ordered the ſame to be paid) for his 55
the ſaid *Hubbard's* Company's Pay, and that the ſaid *Waugh* ſhould be obliged to account for the Diſburſements of the ſame upon Oath, and produce the Diſcharges of the ſeveral Claimants to the next Seſſion of Aſſembly.

That, upon a *Motion* made, it was reſolved by the Houſe that the Captains *John Field* and *John Poſey* lay an Account, upon Oath, of the Money they received for their Companies of Artificers, with the proper Vouchers of their having paid the ſame, before the next Seſſion of Aſſembly.

That a *Petition* of *Robert Brackenridge*, praying to be reimburſed a Sum of Money which he advanced to three Men of his Company of Militia when ſtationed on Duty at Fort *Chiſwell*, in the Year 1761, he having neglected to inſert their Names in the Pay Roll for that Service; was preſented to the Houſe and read, and referred to the Conſideration of the next Seſſion of Aſſembly.

That a *Claim* of *Joſhua Crawford* praying ſome Recompenſe for a Quantity of Tinber and Plank cut down and deſtroyed, together with a Barn, a Log Houſe, and Malt Kiln, on his Plantation, where Fort *Ligonier* was erected, to the Damage of £37. 9. 3.

Alſo a *Claim* of *Joſhua Powell* in Behalf of himſelf and his Company, praying to be 56
allowed 33 Days Pay, amounting to £44, for their Services on the Frontiers of *Halifax*, by the Appointment of Colonel *Abraham Maury*, in the Year 1759; were preſented to the Houſe and received, and referred to the Conſideration of the next Seſſion of Aſſembly.

That the ſeveral *Claims* of *John Bailey*, *Cornelius Lartham*, *Charles Byrne*, *William Edwards*, *Bernard Markham*, *William Gary*, *John Phillips*, *George Bernick*, *Nimrod Poindexter*, *William Reeves*, *Lyddal Bacon*, *Charles Turner*, *William Markham*, *William Clayton*, *Thomas Edwards*, *William Pegram*, *James Small*, *William Hanſbrough*, *James Jones*, *Thomas Cooper*, *John Beſley*, *John Pulliam*, *William Sergant*, *Joſeph Morehead*, *Joſeph Williams*, *Peter Pierce*, *George Neavill*, Junior, *Francis Farnell*, *Abraham Symſon*, *Moſes Bledſoe*, *William Symſon*, and *Anthony Foſter* for taking up Runaways, were preſented to the Houſe and received, and referred to the Conſideration of the next Seſſion of Aſſembly.

It alſo appears to your *Committee* that, on a Motion made, it was ordered that all ſuch Claims and Propoſitions as were referred from the 4th to the 5th Seſſion of this Aſſembly, and all ſuch Claims and Propoſitions as ſhould be certified to the ſaid 5th Seſſion, ſhould be referred to the Conſideration of the next Seſſion of Aſſembly. 57

Ordered, That the Petition of *Bertrand Ewell*, ſetting forth that he was attending in the Cuſtody of the Sergeant at Arms, in Obedience to the Order of the Houſe, for having been guilty of a high Crime and Miſdemeanor, particularly mentioned in the ſaid Report, be referred to the Conſideration of the Committee of Privileges and Elections. That all publick Claims referred from the ſeveral Seſſions of Aſſembly, in the ſaid Report expreſſed, alſo the Petitions of Captain *John Smith*, *Richard Pearis*, the Inſpectors at *Gibſon's* Warehouſe, *James Hughes*, *James Walker*, *Henry Darnell*, *John Terrier*, *Robert Brackenridge*, *Joſhua Crawford*, and *Joſhua Powell*, therein ſet forth, be referred to the Committee of Claims; and that the ſeveral Propoſitions therein mentioned, be referred to the Committee of Propoſitions and Grievances.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that the Committee had had under their Conſideration divers Propoſitions and Petitions from ſeveral Counties to them referred, and had come to ſeveral Reſolutions thereon; which he

he read in his Place, and then delivered in at the Table, where the ſame were again read and are as follow:

58 *Reſolved*, That it is the Opinion of this Committee that the Petition of *John Wiſe*, Jun. and ſundry Inhabitants of the County of *Accomack*, praying that a Ferry may be eſtabliſhed from the Land of the ſaid *John Wiſe*, on *Chicconeffix* Creek, in the ſaid County over the Bay to *York*, *Hampton*, *Norfolk*, and the Places adjacent thereto, be rejected.

Reſolved, That it is the Opinion of this Committee that the Petition of *Levin Rogers*, and ſundry other Inhabitants of the ſaid County of *Accomack*, praying that a Ferry may be eſtabliſhed from the Town of *Onancock*, in the ſaid County, over the Bay to *York*, *Hampton*, and *Norfolk*, and the Places adjacent thereto, be rejected.

Reſolved, That it is the Opinion of this Committee that the Petition of *Littleton* and *Severn Eyre*, in Oppoſition to the two Petitions above mentioned, is reaſonable.

That the *Committee* had alſo had under their Conſideration a Repreſentation and Petition of divers Merchants, and their Factors, trading in and to this Colony, and have come to the ſeveral following Reſolutions thereon:

Reſolved, That it is the Opinion of this Committee that that Part of the ſaid Repre-
59 ſentation complaining of Delays in recovering juſt Debts by Defendants in Actions of Debt on proteſted Bills of Exchange, and other Specialties, being allowed to plead Payment without Oath, and praying that ſuch Plea ſhall not be allowed without Oath, is unreaſonable.

Reſolved, That it is the Opinion of this Committee that ſo much of the ſaid Repreſentation as complains of Sheriffs neglecting to make Returns of Proceſs, and alſo of making falſe Returns, and praying that the Laws now in Force relating to the Duty of Sheriffs in ſuch Caſes may be amended, is reaſonable.

Reſolved, That it is the Opinion of this Committee that ſo much of the ſaid Repreſentation complaining of the great Delays Creditors are now ſubject to in recovering their Debts, in Caſes where the Debtor has been taken in Execution, and given Bond for the Priſon Rules, and afterwards eſcaped out of the Bounds, and praying that the Laws relating thereto may be amended and fully explained, is reaſonable.

Reſolved, That it is the Opinion of this Committee that ſo much of the ſaid Repreſentation as complains of the Advantages taken by Debtors in the Priſon Rules, in ſetting up Ordinaries, or following other Occupations, in Defiance of their Creditors, be rejected,

60 *Reſolved*, That it is the Opinion of this Committee that that Part of the ſaid Repreſentation complaining of Pilots extorting unreaſonable Fees, and refuſing to take out Branches, and the Difficulty of recovering the Penalties for ſuch Offences, be rejected.

Reſolved, That it is the Opinion of this Committee that ſo much of the ſaid Repreſentation as propoſes the leſſening the Number of Warehouſes, and the increaſing the Salaries of Inſpectors, and raiſing the Rents of the Warehouſes, is reaſonable.

Reſolved, That it is the Opinion of this Committee that ſo much of the ſaid Repreſentation praying that the Proprietors of Warehouſes may be obliged to build ſufficient Houſes for the Reception of all the Tobacco annually carried to them for Inſpection, be rejected.

Reſolved, That it is the Opinion of this Committee that ſo much of the ſaid Repreſentation praying that Inſpectors may be exempt from bearing or accepting any other Commiſſion, civil or military, be rejected.

Reſolved, That it is the Opinion of this Committee that that Part of the ſaid Repreſentation praying that no Hogſhead of Tobacco under 950 lbs. neat Weight may be entered as Crop Tobacco, is reaſonable.

Reſolved, That it is the Opinion of this Committee that ſo much of the ſaid Repre-
61 ſentation praying that refuſed Tobacco may be picked, either by the Owner or Picker, in a limited Time, or burnt at the Expiration thereof, be rejected.

Reſolved, That it is the Opinion of this Committee that the Reſidue of the ſaid Repreſentation praying that Creditors may be allowed, for Security of their Debts,

to

to take of their Debtors Bonds, with Warrant of Attorney to confeſs Judgments, be rejected.

The *eleven* firſt, and *thirteenth* and *fourteenth* Reſolutions, being read a ſecond Time, and the Queſtion ſeverally put that the Houſe agree thereto,

Reſolved, in the Affirmative.

The *twelfth* Reſolution being alſo read a ſecond Time, and the Queſtion put that the Houſe agree thereto,

It paſſed in the Negative.

Ordered, That the ſaid Committee do prepare and bring in a Bill, or Bills, purſuant to the 5th and 6th Reſolutions; and that the 9th Reſolution do lie on the Table.

Mr *Attorney*, from the ſaid Committee, alſo reported that the ſaid Committee had had under their Conſideration divers other Propoſitions and Petitions from ſeveral Counties to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where the ſame were again read, and are as follow:

Reſolved, That it is the Opinion of this Committee that the Petition of divers Pro- 62
prietors of Lots, and other Inhabitants of the Town of *Alexandria*, in the County of *Fairfax*, praying that ſo much of the Act of Aſſembly for eſtabliſhing the ſaid Town as obliges the Purchaſers of Lots therein to build an improve the ſame in a limited Time, may be repealed, and the Purchaſers left at Liberty to build thereon when convenient to them, is reaſonable.

Reſolved, That it is the Opinion of this Committee that the Petition of ſundry Inhabitants of the County of *Fairfax*, praying that the Fee of £5, to which the Lawyers practiſing in the General Court are entitled in all Chancery Suits, and other Suits where the Title or Bounds of Lands may come in Queſtion, and alſo the Fee of 30*s*. to which the Lawyers practiſing in the County Courts are entitled in the like Suits, may, when recovered, be taxed in the Bill of Coſts, is reaſonable.

Reſolved, That it is the Opinion of this Committee that the Petition of *George Wilſon Spooner*, praying that a Ferry may be eſtabliſhed from his Land, in the County of *Weſtmoreland*, over *Potowmack* River, to *Cedar Point*, in the Province of *Maryland*, is reaſonable.

Reſolved, That it is the Opinion of this Committee that the Petition of ſundry In-
habitants of the County of *Culpeper*, praying that the Court Day of the ſaid County 63
may be altered from the 3d *Thurſday* to the 4th *Monday* in every Month, is reaſonable.

Reſolved, That it is the Opinion of this Committee that the Petition of ſundry Inhabitants of the County of *Fauquier*, praying that the Court Day of the ſaid County may be altered from the 4th *Thurſday* to the 4th *Monday* in every Month, be rejected.

The *three* firſt Reſolutions being read a ſecond Time, and the Queſtion ſeverally put that the Houſe agree thereto,

Reſolved in the Affirmative.

The *two* laſt Reſolutions being alſo read a ſecond Time, and the Queſtion put that the Houſe agree thereto,

It paſſed in the Negative.

Reſolved, That the Petition of the Inhabitants of *Fauquier*, praying that the Court Day of the ſaid County may be altered, is reaſonable.

Ordered, That the ſaid Committee do prepare and bring in a Bill, or Bills, purſuant to the 1ſt, 2d, 3d, and laſt Reſolutions.

On a *Motion* made,

Reſolved, That the Perſon employed by the Clerk of this Houſe to engroſs the Bills, and to tranſcribe the Buſineſs of the Aſſembly, be exempted from Arreſts and Executions during the ſitting of the General Aſſembly.

And then the Houſe adjourned until To-morrow Morning 11 o'Clock. 64

Friday

Friday, the 9th of November, 5 Geo. III. 1764.

ON a *Motion* made,

Ordered, That Leave be given to bring in a Bill To enable Tenants in Taille to make Leaſes of their Lands; and it is referred to Mr *Edmund Pendleton*, and Mr *Richard Henry Lee*, to prepare and bring in the Same.

A *Petition* of *Alexander Boyd*, ſetting forth that ſome Time about the 23d of *September* 1763 *Davis Colmer*, a Chaplain to the *Virginia* Regiment, being indebted to ſeveral Perſons, abſconded, and removed himſelf off, which occaſioned many to ſue out Attachments againſt his Eſtate; and more eſpecially *John M'Clanachan* and *William Crow*, both of the County of *Auguſta*, ſued out their Attachments, and ſummoned him to attend the County Court of *Auguſta* as a Garniſhee, which Summons he accordingly obeyed, notwithſtanding it was very inconvenient and expenſive ſo to do.

And further that on the Trial of the ſaid Attachments, he being ſworn as a Garniſhee, declared on Oath that at the Time of ſerving the ſaid Attachments in his Hands there
65 was due from the Country to the ſaid *Davis Colmer*, as Chaplain to the *Virginia* Regiment, two Months Pay, amounting to £20. But that on a Settlement of his Account with the Commiſſioners appointed for that Purpoſe he was ordered not to pay the ſame to the ſaid *Davis Colmer*, notwithſtanding which the ſaid County Court of *Auguſta* gave Judgments for the ſaid *M'Clanachan* and *Crow*, and ordered that he ſhould pay them the ſaid £20, due from the Country to the ſaid *Davis Colmer*, which he has been actually forced to pay out of his own Pocket. And praying the Conſideration of the Houſe therein, was preſented to the Houſe and read; and the Queſtion being put that the ſaid Petition be referred to a Committee,

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

Ordered, That Mr *Henry Lee* be added to the Committees of Propoſition and Grievances and Courts of Juſtice, Mr *Hutchings* to the Committee of Trade, and Mr *Claiborne*, to the Committee of Courts of Juſtice.

Mr *George Waſhington* laid before the Houſe a Report from the Commiſſioners appointed by Act of Aſſembly to examine, ſtate, and ſettle, the Account of the Pay, Proviſions, Arms, and Neceſſaries, for the Militia of this Colony; which was read, and is as follows:

66 The Commiſſioners not thinking themſelves empowered by Law to allow ſome of the Officers lately employed in the Service of the Country the Pay by them demanded, have judged it neceſſary to add a Repreſentation of ſuch Officers Caſes reſpectively in the Manner they appeared, as follows:

Colonel *Adam Stephen*, who had been employed by his Honour the Governour as Commander in Chief of the Militia in the Northern Diſtrict, and who is Lieutenant of the Counties of *Hampſhire* and *Frederick*, requeſted to be allowed 20*s*. a Day for his Service in both thoſe Counties; and though it appeared that his Expenſe and Trouble in the Execution of his Office had been conſiderable, they have allowed him only 10*s*. a Day, being the Pay allowed by Law to a County Lieutenant.

It appeared to the Commiſſioners that Capt. *John Field*, of the County of *Culpeper*, was by Col. *Stephen* appointed to act as Major of the Militia in his Diſtrict; and that the Colonel had from Time to Time given the ſaid *Field* written Orders and Inſtructions to viſit the ſeveral Poſts, make Returns, &c. That Capt. *Field* had in all Things ſtrictly performed the ſaid Office, and had been extremely active, brave, and zealous in the Defence of his Country, conſtantly expoſed to the greateſt Dangers, and expending
67 conſiderable Sums of Money in Order to appear with becoming Dignity in his Office, which would have been unneceſſary had he remained a private Volunteer, which was the Station he at firſt engaged in. It further appeared that Col. *Stephen* had Directions

from

from his Honour the Governour to employ Capt. *Field*, in ſuch Manner as he thought he could be moſt ſerviceable to the Country.

It alſo appeared that *George Wilſon* had obtained a Commiſſion to act as Major of the County of *Hampſhire*, and that he had the Command of a Company of the *Hampſhire* Militia given him by Col. *Stephen;* that the ſaid *Wilſon* had alſo been brave and active, in the Command of the ſaid Company: But it appearing, from the Teſtimony of Col. *Stephen*, that the ſaid *Wilſon* was intended only to act as Major of the Militia of *Hampſhire*, and as Captain with Reſpect to the Company he commanded, the Commiſſioners have thought fit to allow the ſaid *Wilſon* only Captain's Pay, and to refer his Caſe to the General Aſſembly for a further Allowance, if they ſhould think proper to give him any. And, upon the Whole, the Commiſſioners think that Capt. *Field*, in Equity and Juſtice, is entitled to the Pay of a Major, or an Allowance equal thereto: But as he was not lawfully appointed, they do not think themſelves authorized to allow him his Pay; and therefore, in Juſtice to his Merit, do earneſtly recommend him to the Favour of the Houſe.

That Captain *Luke Collins*, of the *Hampſhire* Militia, was ordered by Col. *Stephen* 68
to join Major *Wilſon* with as many able Men as ſhould be in his Power to collect in a ſhort Time, and to march in Queſt of a Party of *Indians* who had killed ſeveral of the Inhabitants of *Hampſhire*, at a Place called *Welton's* Meadow; in Conſequence of which Order Capt. *Collins* did march with 21 Men under his Command, not having Time to raiſe a greater Number; That he, with Major *Wilſon* and his Party, did overtake the Party of *Indians* at *Cheat* River, attacked and killed three of them, wounding ſeveral others, and retook a Priſoner who had been carried from *Welton's* Meadow, together with a large Quantity of Plunder: And that Capt. *Collins*, with his Party, were out on the ſaid Service ten Days. The Commiſſioners not thinking themſelves authorized by Law to allow the Captain his Pay, on Account of the ſmall Number of Men in his Company, have allowed the Men their Pay, and refer his Caſe to the Houſe.

That Capt. *John Moſs*, with Lieutenant *Gore*, an Enſign, and 24 private Men, were ordered by Colonel *Minor* of *Loudoun* County to march to *Winchester*, there to take Orders from Col. *Stephen*, and to proceed from thence as he ſhould direct; at the ſame Time telling Capt. *Moſs* that he would complete the Company, and ſend the Number 69
then wanting immediately up to *Winchester*, under the Command of an Officer: That ſome Time after Capt. *Moſs's* Arrival at *Winchester* he was ordered by Col. *Stephen* to proceed to one of the Forts on the Frontiers, and an Expreſs was ſent by Colonel *Stephen* to inform Col. *Minor* that he need not ſend up any more Men until further Orders; which Expreſs met the Men ſent by Col. *Minor*, with Intent to join Capt. *Moſs*, on the *Blue Ridge*, whereupon they returned, and Capt. *Moſs* remained in the Service, with the aforeſaid Company, 60 Days. The Commiſſioners, therefore, have only allowed the Enſign, two Sergeants, and the private Men their Pay, referring the Captain and Lieutenant to the Conſideration of the Houſe.

Ordered, That the ſaid Report be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Mr *Edmund Pendleton*, from the Committee of Courts of Juſtice, reported that the Committee had, according to Order, examined what Laws have expired ſince the 4th Seſſion of Aſſembly, and inſpected ſuch Laws as will expire at or ſoon after this Seſſion of Aſſembly, and had agreed upon a Report, and come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again 70
twice read and agreed to by the Houſe, as follow:

Reſolved, That the Act of Aſſembly made in the 19th Year of the Reign of his late Majeſty King *George* II, entitled, *An Act*[1] *for the better regulating and collecting certain Officers Fees, and for other Purpoſes therein mentioned*, which hath been continued by ſeveral Acts, and amended by two other Acts in the 1ſt and 3d Years of his preſent Majeſty's

[1] Hening, V, p. 326.

Majeſty's Reign, and which will expire on the 12th Day of *April* 1766, ought to be further continued.

Reſolved, That the Act of Aſſembly made in the 22d Year of the Reign of his late Majeſty King *George* II, entitled, *An Act*[1] *for amending the Staple of Tobacco, and for preventing Frauds in his Majeſty's Cuſtoms*, together with three Acts made in the 25th, 27th, and 28th Years of his ſaid late Majeſty's Reign, alſo three other Acts made in the 1ſt, 3d and 4th Years of his preſent Majeſty's Reign, for continuing and amending the ſame, which will expire at the End of the Seſſion of Aſſembly to be held next after the 10th Day of *April* 1766, ought to be continued, with Amendments.

Reſolved, That the Act of Aſſembly made in the 30th Year of the Reign of his late
71 Majeſty King *George* II. entitled, *An Act*[2] *for reducing the ſeveral Acts made for making Proviſion againſt Invaſions and Inſurrections into one Act*, which was continued by another Act made in the 3d Year of his preſent Majeſty's Reign, and which will expire on the 8th Day of *June* next, ought to be further continued.

Reſolved, That the Act of Aſſembly made in the 23d Year of the Reign of his late Majeſty King *George* II. entitled, *An Act*[3] *for reducing the ſeveral Acts made for laying a Duty on Liquors into one Act*, which was continued by another Act made in the 1ſt Year of his preſent Majeſty's Reign, and which will expire on the 10th Day of *June* next, ought to be further continued.

Ordered, That the Committee of Courts of Juſtice do bring in a Bill, or Bills purſuant to the 1ſt Reſolution.

Ordered, That the Committee of Propoſitions and Grievances do bring in a Bill, or Bills, purſuant to the 2d and 3d Reſolutions.

Ordered, That the Committee of Trade do prepare and bring in a Bill, or Bills purſuant to the laſt Reſolution.

Ordered, That it be an Inſtruction to the Committee to whom it is referred to bring in a Bill, or Bills, purſuant to the 2d Reſolution, that they receive a Clauſe a Clauſes
72 purſuant to the 9th Reſolution of the Committee of Propoſitions and Grievances, agreed to by the Houſe Yeſterday.

A *Petition* of *William Blanton*, ſetting forth that in a Skirmiſh with the *Indians* in *May* laſt, under the Command of Capt. *Charles Lewis*, he was ſhot through the Thigh, by which means he is rendered incapable of getting a Livelihood; and praying the Conſideration of the Houſe in the Premiſes, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame with their Opinion thereon, to the Houſe.

A *Bill* For dividing the County of *Lunenburg* into three diſtinct Counties, was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

Mr *Pendleton*, reported that the Committee appointed had, according to Order, prepared an Addreſs to his Honour the Governour; which he read in his Place, and then delivered in at the Table, where the ſame was again twice read, and agreed to, with ſome Amendments, as follows:

Sir,

The Burgeſſes of Virginia, *now met in General Aſſembly, have had under their*
73 *moſt ſerious Conſideration that Part of your Honour's Speech recommending the Re-examination of the Complaints of the* Britiſh *Merchants to the Right Honourable the Board of Trade, relating to our Paper Money, with the Reſolutions of their Lordſhips thereupon: And that we might proceed with a Deliberation that ſhould fully evince the Rectitude of our Intentions, we reviſed the ſeveral Laws authorizing the Paper Emiſſions, and directing the Rate of Exchange at which Judgments for Sterling Money ſhould be diſcharged; and have alſo reviewed our Reaſons, preſented to your Honour at a former Seſſion, in Support of the Juſtice of thoſe Laws. The preſent Propoſition being only that we ſhould ſecure the Payment of Sterling Debts in Sterling Money, here, or in* Great Britain, *we examined how either of thoſe Payments might be effected; and as we have not Sterling Specie to pay here*

[1] Hening, VI, p. 154. [2] *Ibid.*, VII, p. 106. [3] *Ibid.*, VI, p. 198.

here, which the Merchants well know, we could ſecure the Sterling Creditors from Injury, in the Receipt of the Paper by no other Means, that we can ſuggeſt, except by directing that they ſhould be paid ſo much Paper as would place their Money in Britain *without Loſs. This, we are ſtill of Opinion, the Law directing the Courts to ſettle the Exchange on all Judgments fully effects; to which we can add no greater Security, without altering our Currency in that eſſential Part that makes it a legal Tender in all Payments, which we think,* 74 *we cannot do without violating the Principles of natural Equity, in regard to the preſent Poſſeſſors. And as we conceive an Alteration unneceſſary with Reſpect to the Creditors, and might be attended with Oppreſſion as well as Injuſtice to the Debtors, we can by no Means agree to that Meaſure; eſpecially as a Payment in Paper is preferable to one in Sterling Specie here, if ſuch we had to pay, ſince that Specie could not be ſent to* Britain *without a Loſs of Freight and Enſurance.*

We have alſo conſidered the Letter from the Earl of Halifax, *laid before us, relative to the Eſtabliſhment of Ferries, and other Articles for the Convenience of the Poſt, and think that our Laws ſufficiently provide for ſuch Convenience; but being fully convinced of the Uſefulneſs of a regular Poſt we ſhall be ready at all Times to adopt ſuch Meaſures as ſhall be pointed out to us for the better effecting ſo ſalutary a Purpoſe.*

Ordered, That the ſaid Addreſs be fairly tranſcribed, and preſented by the Committee who drew the ſame.

A *Petition* of divers Freeholders and Inhabitants of the County of *Caroline*, ſetting forth that having ſeen a Bill, entitled, A Bill to eſtabliſh a more eaſy and expeditious Method for the Trial of Criminals, and of Cauſes depending in the General Court, which 75 was brought into a former Seſſion of Aſſembly, and ordered to be printed, they conſidered that as an Appeal to the Publick for their Sentiments on the Bill.

That they have long conſidered that the Attendance of Suitors and Witneſſes, from all Parts of the Country, at *Williamſburg*, for the Trial of Suits in the General Court, muſt neceſſarily occaſion great Expenſe, Trouble, and Loſs of Time, which might in a great Meaſure be ſaved if the Trials were nearer home; and at the ſame Time, while all Trials of Suits in the Supreme Court are to be had at one Place, as the Number of Suits will increaſe in Proportion to the Growth of the Colony, ſuch a Delay of Juſtice will neceſſarily be introduced as muſt end in the Ruin of Suitors, the Deſtruction of Publick Credit, and the Trade and Commerce of the Colony.

That they are alſo of Opinion that there is much unneceſſary Expenſe and Trouble occaſioned by carrying the Criminals, with their Venires and Witneſſes, from all Parts, for their Trials at *Williamſburg*, which might be ſaved in the Method propoſed by the ſaid Bill.

They therefore humbly propoſe that the Bill aforeſaid, or ſome other of the ſame Nature, may paſs into a Law.

Alſo two *Petitions* of divers Inhabitants of the Counties of *Eſſex* and *King* and 76 *Queen*, to the ſame Effect, were ſeverally preſented to the Houſe and read.

Ordered, That the ſaid Petitions be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

And then the Houſe adjourned until To-morrow Morning 11°'Clock.

Saturday, the 10th of November, 5 Geo. III. 1764.

A *Petition* of *John Dix*, ſetting forth that in the publick Levy in the Year 1756, there remained in the Hands of the Sheriff of *King* and *Queen* a Depoſitum *of* 10,736 lbs. of Tobacco, to be accounted for in the next publick Levy, which Tobacco was collected by him and *Joſeph Starling*, then Under Sheriffs, in the following Proportion, that is to ſay, 4522 by the ſaid *Starling*, and 6214 by himſelf, both which being in Tranſfer they received from the Inſpectors 12*s*. 5*d*. a Hundred for it, being the Price at which the Tranſfer ſold that Year: That in the next publick Levy, in 1758, the ſaid Tobacco being levied by the Sheriff, they were obliged to pay for the ſame

77 21s. 6d. a Hundred, by which they ſuſtained a Loſs of 9s. 1d. a Hundred, without any Fault of theirs; and it was agreed that Application ſhould be made to the General Aſſembly for Redreſs, which the ſaid *Starling* undertook to make, and accordingly petitioned in the Year 1759; and hearing he had ſucceeded, charged Mr *Starling* with his Proportion of the Loſs; but he, dying ſoon after, and on Inquiry, found that Mr *Starling* applied for, and was allowed only for the Loſs on his Proportion of 4522 lbs. which Diſcovery was made during the Seſſion of Aſſembly in *November* 1762, and, as it happened, after the Houſe had paſſed an Order againſt receiving any other Claims in that Seſſion: And praying that he may be allowed his Loſs aforeſaid, amounting to £28. 4. 5, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Mr *Edmund Pendleton*, from the Committee of Courts of Juſtice, preſented to the Houſe, according to Order, a Bill For further continuing the Act, entitled, *An Act*[1] *for the better regulating and collecting certain Officers Fees, and for other Purpoſes therein mentioned:* and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

78 Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that the Committee had had under their Conſideration that Part of the Report of the Commiſſioners appointed by an Act of Aſſembly, entitled, *An Act*[2] *for appointing Commiſſioners to examine and ſtate the Accounts of the Militia lately ordered out into actual Service, and for other Purpoſes therein mentioned*, as relates to the Conduct and Services of Col. *Adam Stephen*, and had agreed upon a Report, and come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where the ſame was again twice read, and agreed to by the Houſe, as follows:

Your *Committee* begs Leave to inform the Houſe that Mr *Thomas Rutherford* appeared before them, and exhibited a Charge in Writing reflecting on the Conduct of Col. *Stephen*, who being called upon declared that he was not now provided with Evidence to defend himſelf againſt the ſaid Charge; and it was then agreed between them that the Examination thereof ſhould be poſtponed to a future Day. And thereupon

Reſolved, That as well the ſaid Col. *Stephen* as Mr *Rutherford* be at Liberty to examine and take the Depoſitions of ſuch Witneſſes as they ſhall think proper, before *Thomas Bryan Martin*, *James Wood*, *John Hite* and *John Nevil*, Gentlemen, or any three of them,

79 at the Houſe of *Bryan Bruin* in *Winchester*, on the 26th Inſtant, or on ſuch other Days as they the ſaid Commiſſioners ſhall from Time to Time adjourn to for that Purpoſe; and that they return the Depoſitions ſo to be taken to this Committee, on or before the 10th Day of *December* next.

Mr *Rutherford* laid before the Committee the Depoſitions of ſundry Perſons, to which Col. *Stephen* objected, as being taken *ex parte;* but agreed that the Depoſitions of ſuch of them as cannot be re-examined, upon Proof thereof made before this Committee, may be read in Evidence upon the further Conſideration of the ſaid Charge.

Reſolved, That the further Conſideration of the ſaid Charge be referred to the 10th Day of *December* next.

Ordered, That Mr *Greenhill* be added to the Committee of Trade.

An engroſſed *Bill*, entitled, *An Act*[3] *for dividing the County of* Lunenburg *into three diſtinct Counties*, was read a third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Read* do carry up the ſaid Bill to the Council for their Concurrence.

And then the Houſe adjourned until Monday Morning 11 o'Clock.

Monday

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[1] Hening, V, p. 326, [2] *Ibid.*, VII, p. 124. [3] *Ibid.*, VIII, p, 41.

Monday. the 12th of November. 5 Geo. III. 1764.

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MR *Pendleton* reported that the Committee appointed had, according to Order, waited on his Honour the Governour with the Addreſs of this Houſe of *Friday* laſt, to which his Honour was pleaſed to ſay he would return and Anſwer in Writing.

A written *Meſſage* from the Governour was delivered by Mr *Walthoe*, as follows:

Mr *Speaker, and Gentlemen of the Houſe of Burgeſſes,*

I ſhall take the carlieſt Opportunity of tranſmitting your Addreſs to the Right Honourable the Lords of Trade and Plantations, ſubmitting to their Lordſhips, Judgment the Reaſons aſſigned therein for your Non-Compliance with the Propoſition offered by the Merchants of Great Britain *to the Legiſlature of this Colony. If their Lordſhips ſhould think them inſufficient to remove the Cauſe of Complaint from the Merchants, they have candidly told you what you have to expect, from their Attention to the Grievances of his Majeſty's Subjects when made known to them; and you can blame no one but yourſelves for any Conſequences which may follow the Reception you have given to Matters recommended to you from that Right Honourable Board.*

From the Knowledge I have of the Country, I agree with you that the Ferries and other Requiſites for carrying on a regular Poſt through this Colony are in general already well 81 *provided for; and if any future Wants ſhould be made to appear from the Officers concerned in that Branch of the Revenue, I make no Doubt but you will concur in any Meaſures conducive to make it ſtill more convenient and uſeful to his Majeſty's Subjects on this Continent.*

Mr *Attorney*, from the Committee of Propoſitions and Grievances, preſented to the Houſe, according to Order, a Bill For further continuing the Act for reducing the ſeveral Acts for making Proviſions againſt Invaſions and Inſurrections into one Act.

Alſo a *Bill* For allowing the full Fees to which the Lawyers practiſing in the ſeveral Courts of this Colony are entitled, in particular Caſes therein mentioned, to be taxed, upon Recovery, in the Bill of Coſts; and the ſaid Bills were read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* of divers Inhabitants of the Counties of *Caroline* and *Hanover*, ſetting forth that the Navigation of *Pamunkey* River is greatly obſtructed by ſeveral Hedges and Stone Stops being erected therein; to the great Prejudice of the ſaid Inhabitants; and praying the ſame may be remedied, and that the Act of Aſſembly for clearing the ſaid River, and for the Prevention of ſetting up Hedges and Stone Stops, ſo far as relates 82 to the Recovery of the Penalties inflicted by the ſaid Act, may be amended, or ſuch Alterations made therein as to this Houſe ſhall ſeem reaſonable, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

An *Account* of *Thomas Doran*, for three Months Pay as a Soldier in the *Virginia* Regiment.

Alſo an *Account* of *Joſhua Powell*, for his Company's Pay, amounting to £41.16; were ſeverally preſented to the Houſe and read.

Ordered, That the ſaid Accounts be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

And then the Houſe adjourned until To-morrow Morning 11 o'Clock.

Tuesday

Tuesday, the 13th of November. 5 Geo. III. 1764.

ORDERED, That Mr *Bridger* be added to the Committee of Courts of Juſtice.

83 Mr *Pendleton*, from the Perſons appointed, preſented to the Houſe, according to Order, a Bill To enable Tenants in Taille to make Leaſes of their Lands; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that the Committee had had under their further Conſideration the Report of the Commiſſioners appointed to examine and ſtate the Accounts of the Militia lately ordered out into actual Service, to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again read, and are as follow:

Reſolved, That it is the Opinion of this Committee that Mr *John Field*, named in the ſaid Report, who acted as a Major for the County of *Hampſhire*, in the Defence of the Frontiers, under the Appointment of Col. *Adam Stephen*, ought to be allowed the Pay of a Major during the Time he was employed in that Service.

Reſolved, That it is the Opinion of this Committee that Capt. *George Wilſon*, who was alſo appointed to act as a Major for the ſaid County of *Hampſhire*, but as a Captain only with Reſpect to the Company of Militia he commanded, ought not to be allowed the Pay of a Major.

84 *Reſolved*, That it is the Opinion of this Committee that Capt. *Luke Collins*, alſo named in the ſaid Report, who went out with 21 Men only under his Command not having Time to raiſe more, in Purſuit of the *Indians* attacked and killed ſome of them, and wounded others, ought to be allowed the Pay of a Captain for his ſaid Services.

Reſolved, That it is the Opinion of this Committee that Capt. *John Moſs*, and Lieutenant *Gore*, who were alſo employed in the publick Service, with an Enſign, and 24 private Men only, the Reſt of their Company, who were marching to join them, being ordered back by Colonel *Stephen*, ought to be allowed reſpectively their Pay, as Captain and Lieutenant, during the Time they were ſo employed.

The *firſt*, *third* and *fourth* Reſolutions, being read a ſecond Time, and the Queſtion ſeverally put that the Houſe agree thereto,

Reſolved in the Affirmative.

The *ſecond* Reſolution being alſo read a ſecond Time, and the Queſtion thereupon put that the Houſe agree thereto,

It paſſed in the Negative.

And on a *Motion* made,

Reſolved, That Capt. *George Wilſon*, who acted as a Major for the ſaid County of

85 *Hampſhire*, in the Defence of the Frontiers, under the Appointment of Col. *Adam Stephen*, be allowed the Pay of a Major during the Time he was engaged in that Service.

A *Claim* of *Thomas Bates*, for 56 Days Pay as a Drummer in Capt. *Aſhley's* Independent Company.

Alſo a *Claim* of *William Thompſon*, for taking up a Runaway therein mentioned.

Alſo ſundry *Accounts* from divers Perſons of the County of *Halifax*, for Proviſions furniſhed the Militia drawn out into actual Service, alſo Accounts of ſeveral Officers in Behalf of themſelves and the Companies under their Command for their Pay as Militia of the ſaid County, and for Horſes, &c. impreſſed into the Service of this Colony, and for other Purpoſes therein mentioned.

Alſo a *Petition* of *Edward Carvin*, ſetting forth that he was employed laſt Summer as a Scout on the ſouth weſtern Frontier by the Appointment of Col. *Lewis*, and in attempting to ford the *New* River in Queſt of the Enemy he loſt a fine rifle barrel Gun, of the Value of £10; and praying that he may be allowed for the ſame by the Publick.

Alſo a *Petition* of *William Man*, ſetting forth that ever ſince the Commencement of the laſt *Indian* War he hath been conſtantly employed as a Look-out, or Scout, on the Frontiers

Frontiers: which Service he heartily engaged in, and cheerfully performed for the Truth of which, ſo far as regards his Duty and Behaviour as a Soldier, he begs Leave to refer to his Commanding Officer, and Col. *Lewis*, Lieutenant of the County of *Auguſta*: That on the 26th Day of *April* laſt, being then on Duty, and engaged with the Enemy, had the Miſfortune to be ſhot through his Breaſt and one of his Arms, which has totally deprived him of the Uſe of it, as alſo of the Means of Livelihood, and laid him under the Neceſſity of being at an Expenſe for his Cure no Way proportionable to his Circumſtances; and praying a Recompenſe for his Wounds and Services from the Publick. 86

Alſo a *Petition* of *Robert Armſtrong*, ſetting forth that he was a Soldier in Capt. *Walter Cunningham's* Company of Militia ſtationed laſt Summer at Fort *Young*, in the County of *Auguſta;* and in an Engagement with the Enemy, in the Month of *April* laſt, he received a Wound in his Body, and notwithſtanding his Application to a Surgeon, and at a great Expenſe, his Wound is yet uncured, which renders him unable to labour for the Support of himſelf, his Wife and Children; and praying the Conſideration of this Houſe therein.

Alſo a *Petition* of *Francis Jackſon*, ſetting forth that he was a Volunteer in Capt. *Charles Lewiſ's* Company of Militia ſtationed laſt Summer at Fort *Dinwiddie*, in the County of *Auguſta;* and in an Engagement with the Enemy, in the Month of *May*, he received a Wound in his Back, and through his Shoulder, which hath coſt him a conſiderable Sum to a Doctor, but hitherto without Succeſs, whereby he is rendered unable to ſupport himſelf at all by Labour; and praying ſuch Relief as ſhall by this Honourable Houſe be thought reaſonable, were ſeverally preſented to the Houſe and read. 87

Ordered, That the ſaid Claims and Petitions be referred to the Conſideration of the Committee of Claims, that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

On a *Motion* made,

Reſolved, That this Houſe will reſolve itſelf into a Committee to conſider the State of the Colony.

Ordered, That the ſeveral Letters to and from the Agent, with the Letter addreſſed to the Speaker from the Committee for the *Maſſachuſetts* Government, which were ordered to lie on the Table, be referred to the ſame Committee.

The Houſe immediately reſolved itſelf into the ſaid Committee, purſuant to the above mentioned Reſolution of the Houſe; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had had that Matter under their Conſideration, and had come to ſeveral Reſolutions thereon. 88

Ordered, That the ſame be reported to the Houſe To-morrow.

And then the Houſe adjourned until To-morrow Morning 11 o'Clock.

Wednesday, the 14th of November, 5 Geo. III. 1764.

MR *Benjamin Harriſon*, from the Committee of Trade, preſented to the Houſe, according to Order, a Bill For further continuing an Act, entitled, *An Act*[1] *for reducing the ſeveral Acts made for laying a Duty on Liquors into one Act*; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* of *George Heal*, ſetting forth that he is poſſeſſed, under the laſt Will and Teſtament of his late Father, *John Heal*, of the County of *Lancaſter*, of ſeveral Tracts of Land, and of ſeveral Slaves alſo, as Tenant in Taille Male.

That he is alſo ſeized in Fee Simple of a Tract of Land containing 1130 Acres, in the County of *Fauquier*, which he purchaſed of one *Thomas Edwards*.

And he humbly conceives that it would be much more to the Benefit and Advantage, as well of himſelf and his Family, as of the Heir of his Body, and it would alſo enable him to make ſome Proviſion for his younger Children, if he was veſted with the abſolute Property 89

[1] Hening, VII, p. 265.

Property of Part of the ſaid entailed Slaves, and the ſaid 1130 Acres of Land in *Fauquier* County, which is of greater Value, were ſettled on him and the Heirs of his Body, in Lieu of the ſaid Slaves.

Ordered, That a Bill be brought in agreeable to the ſaid Petition, and it is referred to Mr *Landon Carter* to prepare and bring in the ſame.

A *Petition* of Mr *John Syme*, ſetting forth that *Mildred* his Wife was ſeized in Fee Taille of ſeveral Parcels of Land, and in Fee Simple of ſome others and the Petition having more convenient and valuable Lands of his own, did, with the Conſent of the ſaid *Mildred*, in her Lifetime, agree to ſell ſeveral Tracts of the ſaid Land, and received the Conſideration; but before Conveyances were executed the ſaid *Mildred* died, leaving Iſſue by the Petitioner *John Syme*, her eldeſt Son, and three other Children.

That the ſaid *Mildred* was ſeized in Fee Simple of 12 unimproved Lots in the Town
90 of *Newcaſtle*, which muſt remain of no Value unleſs the Petitioner was empowered to ſell or improve them, until his Son ſhall ſucceed to the Eſtate.

That the *Petitioner* is ſeized in Fee Simple of about 400 Acres of Valuable Land near *Newcaſtle* in the County of *Hanover*, purchaſed of *Reuben Skelton* and *William Winſton*, which is adjoining and convenient to a very conſiderable Tract of which he was ſeized in Right of his ſaid Wife; and it would be a great Advantage to his Family if he was empowered to confirm his Contracts for the Sale of the ſaid ſeveral Tracts of Land, and to ſell the ſaid Lots in the Town of *Newcaſtle* and to veſt the ſaid 400 Acres of Land in the Iſſue of the ſaid *Mildred* in Lieu thereof.

That he hath publiſhed Notice of his Intentions to apply to this preſent General Aſſembly, according to the Royal Inſtructions, and praying that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Ordered, That a Bill be brought in agreeable to the ſaid Petition, and it is referred to Mr *Edmund Pendleton*, to prepare and bring in the ſame.

A *Petition* of Mr *Charles Carter*, ſetting forth that the Soldiers of the *Virginia* Regiment, in Order to avoid the Smallpox ſpreading in the ſaid Regiment, removed
91 from *Frederickſburg*, where that Diſtemper had broke out in ſeveral Families, to his Plantation at *Stanſted*, where they tarried ſeveral Months during all which Time they cut down and made Uſe of a large Quantity of Timber for Firewood, and greatly damaged his Houſes, which damages were aſcertained by a Court of Officers appointed for that Purpoſe by Order of Col. *Adam Stephen*, to which he refers, and praying the Conſideration of the Houſe therein.

Alſo a *Petition* of *John Craig*, ſetting forth that he is well informed, and believes it to be true, that the Colony of *Virginia* is indebted to the Eſtate of *John Hamilton*, deceaſed, for his Pay as a Lieutenant for 118 Days, at the Rate of 4*s*. a Day, amounting in the Whole to £23. 12: That the ſaid *John Hamilton*, deceaſed, was killed at General *Braddock's* Defeat, when he was indebted to *David Craig*, his Brother, in the Sum of £43. 13. 3 Halfpenny the greateſt Part of which was due to the ſaid *David Craig* (who was a Merchant) for Regimentals, and other Things neceſſary for the ſaid *Hamilton's* Outfit, as an Officer in the Service of the Country: That ſince the Death of the ſaid *Hamilton* the ſaid *David Craig* adminiſtered on his Eſtate, on Purpoſe to get the Pay
92 due from the Country to the ſaid *Hamilton*, which was the moſt conſiderable Part of the ſaid *Hamilton's* Eſtate: That ſome Time ſince the ſaid *David Craig* is alſo dead, and he has duly obtained the Adminiſtration of his Eſtate; by which all and every the Goods and Chattels, Rights and Credits, which were of the ſaid *John Hamilton's*, are legally veſted in him. Wherefore he humbly prays that this Worſhipful Houſe will take his Caſe under their Conſideration, and grant him ſuch Aid in the Premiſes as to this Houſe ſhall ſeem reaſonable, were preſented to the Houſe and read.

Ordered, That the ſaid Petitions be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that the ſaid Committee had had under their Conſideration divers Propoſitions and Petitions from

from ſeveral Counties to them referred, and had come to two Reſolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again read, and are as follow:

Reſolved, That it is the Opinion of this Committee that the ſeveral Petitions of ſundry Inhabitants of the Counties of *King* and *Queen*, *Caroline*, and *Eſſex*, complaining of the great Expenſe, Trouble, and Loſs of Time, Suitors are put to in attending the 93
Trial of their Cauſes in the General Court, and alſo of the great Expenſe and Trouble occaſioned by carrying Criminals with their Venires and Witneſſes for Trial at the General Court, and praying that the Bill preſented to a former Seſſion of Aſſembly To eſtabliſh a more eaſy and expeditious Method for the Trial of Criminals, and of Cauſes depending in the General Court, or ſome other of the ſame Nature, may paſs into a Law, be rejected.

Reſolved, That it is the Opinion of this Committee that that Part of the Petition of Capt. *Richard Pearis*, praying to be allowed for Horſes and Pack Saddles furniſhed by him for an Expedition againſt the *Shawaneſe* Indians, in the Year 1756, which was referred from a former Seſſion to the Conſideration of this Seſſion of Aſſembly, is reaſonable, and that the ſaid *Richard Pearis* ought to be allowed the Sum of £81.18 for the ſaid Horſes and Pack Saddles, to be paid by the Publick.

The *firſt* Reſolution being read a ſecond Time, and the Queſtion put that the Houſe agree thereto,

It paſſed in the Negative.

Reſolved, That the ſaid Petitions are reaſonable.

The *laſt* Reſolution being alſo read a ſecond Time, and the Queſtion thereupon put that the Houſe agree thereto, 94

Reſolved in the Affirmative.

Ordered, That the ſaid Committee do prepare and bring in a Bill purſuant to the Reſolution of the Houſe.

Ordered, That it be an Inſtruction to the Committee of Claims to make the Allowance in the Book of Claims purſuant to the laſt Reſolution.

Ordered, That Mr *Fitzhugh* be added to the Committee of Propoſitions and Grievances, and Mr *William Wager* to the Committee of Courts of Juſtice.

Mr *Attorney*, from the Committee of the whole Houſe reported, according to Order, that the Committee had had under their Conſideration the State of the Colony, and the ſeveral Letters to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to, with ſome Amendments, and are as follow:

Reſolved, That a moſt humble and dutiful Addreſs be preſented to his Majeſty, imploring his Royal Protection of his faithful Subjects, the People of this Colony, in the Enjoyment of all their natural and civil Rights, as Men, and as Deſcendents of *Britons;* which Rights muſt be violated, if Laws reſpecting the internal Government, and Taxation of themſelves, are impoſed upon them by any other Power than that derived from their own Conſent, by and with the Approbation of their Sovereign, or his Subſtitute: And profeſſing, that as theſe People have at all Times been forward and zealous to demonſtrate their Loyalty and Affection to his Majeſty, and eſpecially by a ready Compliance with the Requiſitions of the Crown to bear their Part in the late War, which they engaged to do with the more Alacrity, from a Confidence that the Royal Benignity would never ſuffer them to be deprived of their Freedom (that ſacred Birthright and ineſtimable Bleſſing) ſo they would be willing to contribute their Proportion of any Expenſes neceſſary for the Defence and Security of *America*, as far as Circumſtances of the People, already diſtreſſed with Taxes, would admit of, provided it were left to themſelves to raiſe it, by Modes leaſt grievous. 95

Reſolved, That a Memorial be prepared to be laid before the Right Hon. the Lords Spiritual and Temporal in Parliament aſſembled, intreating their Lordſhips, by a proper and reaſonable Interpoſition and Exertion of their Power, not to ſuffer the People of this Colony to be enſlaved or oppreſſed by Laws reſpecting their internal Polity, and Taxes

96 Taxes impoſed on them in a Manner that is unconſtitutional; and declaring our Hopes that the Preſervation of the Rights of any of his Majeſty's faithful Subjects will be thought by their Lordſhips as an Object worthy the Attention of thoſe hereditary Guardians and Protectors of *Britiſh* Liberty and Property, and eſpecially as the Subverſion of thoſe Rights, in the Inſtance of taxing the People of *Virginia*, at this Time, when they are moſt grievouſly burthened by the Expenſes of the late War, muſt diminiſh that Conſumption of Manufactures furniſhed to them by their Mother Country, by which her wealth is very greatly augmented, and her Proſperity continued.

Reſolved, That a Memorial be prepared to be laid before the Honourable the Houſe of Commons, to aſſert, with decent Freedom, the Rights and Liberties of the People of this Colony as *Britiſh* Subjects, to remonſtrate that Laws for their internal Government, or Taxation, ought not to be impoſed by any Power but what is delegated to their Repreſentatives, choſen by themſelves, and to repreſent that the People are already taxed, for ſeveral Years to come, ſo heavily, for Expenſes incurred in the late War, amounting to near Half a Million, that an Increaſe of that Burthen by the Parliament, at this Time, would be not only a Violation of the moſt ſacred and valuable Principle
97 of the Conſtitution, but ſuch an Oppreſſion as would probably draw after it a Deſolation in many Parts of the Country, and muſt divert thoſe of the Inhabitants, who could not remove from it, to manufacture what Articles they have hitherto been ſupplied with from the Mother Country, and conſequently one grand Source of Wealth and Proſperity will be ſtopped up.

Reſolved, That the Committee appointed to correſpond with the Agent of this Colony in *Great Britain* purſuant to an Act of Aſſembly For appointing an agent, be directed to anſwer the Letter of the 25th of *June* laſt from the Committee of the Houſe of Repreſentatives of the Province of *Maſſachuſetts* Bay to the Honourable the Speaker of the Houſe of Repreſentatives for the Province of *Virginia*, and to aſſure that Committe that the Aſſembly of *Virginia* are highly ſenſible of the very great Importance it is, as well to the Colony of *Virginia*, as to *America* in general, that the Subjects of *Great Britain* in this Part of its Dominions ſhould continue in Poſſeſſion of their ancient and moſt valuable Right of being taxed only by Conſent of their Repreſentatives, and that the Aſſembly here will omit no Meaſures in their Power to prevent ſuch eſſential Injury from being done to the Rights and Liberties of the People.

98 *Ordered*, That a Committee be appointed to draw up the Addreſs, and Memorials, in the ſaid Report mentioned; and it is referred to Mr *Attorney*, Mr *Richard Henry Lee*, Mr *Landon Carter*, Mr *Wythe*, Mr *Edmund Pendleton*, Mr *Benjamin Harriſon*, Mr *Cary*, and Mr *Fleming*, to prepare and bring in the ſame.

And the Houſe adjourned until To-morrow Morning 11 o'Clock.

Thurſday, the 15th of November, 5 Geo. III. 1764.

A *Petition* of the Truſtees of the Town of *Falmouth*, in the County of *King George*, ſetting forth that the main Street of the ſaid Town is at preſent 150 Feet wide, which is more than neceſſary, and that it would be a very conſiderable Improvement to the ſaid Town if 50 feet in Breadth of the ſaid Street was laid off into Lots, and they empowered to ſell them, and lay out the Money in other Improvements, agreeable to the Directions of the Act for eſtabliſhing the ſaid Town; and that Purchaſers of Lots in the ſaid Town may be left at Liberty to build according to their Circumſtances and Convenience, without Reſtraint; and that the Inhabitants thereof may be prevented from building wooden Chimnies to their Houſes, and from
99 ſuffering Hogs to run at large therein; and praying that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Ordered

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof and report the ſame with their Opinion thereon to the Houſe.

On a *Motion* made,

That it be an Inſtruction to the Committee to whom it is referred to bring in a Bill For amending the Act, entitled, *An Act*[1] *for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms*, that they receive a Clauſe or Clauſes for repealing ſo much of the ſaid Act as directs a Review of Tobacco by Juſtices of the Peace, after the ſame had been inſpected; and the Queſtion being thereupon put, the Houſe divided,

Ays go forth, Ays, counted by Mr *Edmund Pendleton* 16
Noes, counted by Mr *Littlepage* 33

It paſſed in the Negative.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that the Committee had had under their Conſideration divers Propoſitions and Petitions from ſeveral Counties to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow: 100

Reſolved, That the Petition of ſundry Inhabitants of the County of *Frederick*, praying that the ſaid County may be divided into two diſtinct Counties, by a Line to be run from *Aſhby's* Gap, a ſtraight Courſe, until it interſects the *Hampſhire* Line, be rejected.

Reſolved, That the ſeveral Petitions of ſundry other Inhabitants of the ſaid County, in Oppoſition of the ſaid Petition, are reaſonable.

Reſolved, That the Petition of ſundry Inhabitants of the County of *Halifax*, praying that a Mill, built near the Mouth of *Hyco* River, and now belonging to one *Howard Hurſt*, as obſtructing the Paſſage of Fiſh up the ſaid River, may be diſcontinued, be rejected.

Reſolved, That the Petition of ſundry Inhabitants of the Counties of *Hanover* and *Caroline*, praying that the Penalties inflicted on Perſons ſetting up Hedges and Stops in *Pamunkey* River, may be made recoverable before a ſingle Juſtice of the Peace, or ſome other Amendments made to the Laws relating thereto, is reaſonable.

Reſolved, That the Petition of ſundry Inhabitants of the County of *Elizabeth River*, praying that they may be allowed to build a Bridge over the ſouth Branch of *Back* River by Subſcription, be rejected.

Reſolved, That a Petition of ſundry other Inhabitants of the ſaid County, in Oppo- 101
ſition thereto, is reaſonable.

Reſolved, That the Petition of *Henry Allen*, praying that he may be allowed to build a Bridge over the ſaid Branch of *Back* River at his own Expenſe, and to receive a reaſonable Toll from Perſons paſſing over the ſame; and alſo that one Acre of Land on each Side of the ſaid Branch may be veſted in him, upon his paying the Proprietors the Value thereof, is reaſonable.

Reſolved, That the Petition of ſundry Inhabitants of the County of *Hampſhire*, praying that the Reward for killing Wolves may be increaſed, is reaſonable.

Ordered, That the ſaid Committee do prepare and bring in a Bill, or Bills purſuant to the 4th, 7th, and 8th Reſolutions.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For the Preſervation of Sheep, and it is referred to Mr *Benjamin Grymes* to prepare and bring in the ſame.

Mr *Cary*, from the Committee of Claims, reported that the Committee had had under their Conſideration ſeveral Petitions and Claims to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the 102
Table where they were again read, and agreed to by the Houſe, and are as follow:

Reſolved, That the Allegations of the Petition of *James Boyd* are true, and that he ought to be allowed the Sum of £65, for the Slave in his Petition mentioned.

Reſolved

[1] Hening, VIII, p. 69,

Reſolved, That *John Dix* ought to be allowed the Sum of £28.4.5, for the Loſs ſuſtained on the Tobacco in his Petition mentioned.

Reſolved, That *Thomas Booth* ought to be allowed the Sum of £34. 2. 8, charged in his Account, for the Bounty Money and Subſiſtence of the three Recruits in his Petition mentioned.

Reſolved, That the Sum of £15, charged in his Account for his Expenſes in the recruiting Soldiers enliſted by him, be rejected.

Reſolved, That the ſum of £15, for his Pay as a Lieutenant in the recruiting Service, be rejected.

Reſolved, That *Dougal Campbell* ought to be allowed the Sum of £5, for his preſent Relief, and the further Sum of £5, *per Annum* during his Life, as a Conſideration for the Wound he received in the Service.

Reſolved, That *William Blanton* ought to be allowed the Sum of £15, in Conſider-
103 ation of the Wounds he received in the Service, and to reimburſe him the Expenſe attending his Cure.

Reſolved, That *Richard Bolton* ought to be allowed the Sum of £5 for his preſent Relief, and the further Sum of £5 *per Annum* during Life.

Reſolved, That the Petition of *John Creagh* be rejected, it not appearing to this Committee that he ever was wounded or diſabled in the Service of the Colony.

Ordered, That the Committee of Claims do make an Allowance in the Book of Claims purſuant to the 1ſt, 2d, 5th, 6th, 7th, 8th, and 9th Reſolutions.

Ordered, That the ſaid *Thomas Booth* be allowed his Claim in the Settlement of his Accounts with the Publick.

Mr *Cary* alſo reported that the Committee had had under their Conſideration ſeveral other Petitions and Claims to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again read, and are as follow:

Reſolved, That it is the Opinion of this Committee that *Francis Jackſon* ought to be allowed the Sum of £40 for his preſent Relief, and the further Sum of £5 *per Annum* during his Life, as a Recompenſe for the Wounds he received in the Service of the Country.

104 *Reſolved*, That it is the Opinion of this Committee that *William Man* ought to be allowed the Sum of £30 for his preſent Relief, and the further Sum of £10 *per Annum* during his Life, as a Recompenſe for the Wounds he received in the Service of the Country.

Reſolved, That it is the Opinion of this Committee that *Robert Armſtrong* ought to be allowed the Sum of £50, as a Recompenſe for the Wounds he received in the Service of the Country.

Reſolved, That it is the Opinion of this Committee that *Edward Carvin* ought to be allowed the Sum of £5, for the Gun in his Petition mentioned.

Reſolved, That it is the Opinion of this Committee that *John Terrier* ought to be allowed the Sum of £20, as a Recompenſe for the Damages he ſuſtained by the *Virginia* Regiment.

Reſolved, That it is the Opinion of this Committee that *Robert Brackenridge* ought to be allowed for the Pay of three Men omitted in his Pay Roll, to wit, *Samuel Meredith* £3.1, *Robert Kirkum* and *Joſeph Bates* 14*s*. each, it appearing to this Committee that they never received any Pay from the Publick, though in actual Service.

On conſidering the *Petition* of *John Aſhworth*, it appeared to your Committee that
105 the Account for Waggonage in his Petition mentioned was rejected by your Committee. at a former Seſſion of Aſſembly, it then and now appearing that ſundry Goods, to the Value of the Waggonage, were ſtolen out of the ſaid Waggon, and never delivered to the Officer appointed to receive them.

Reſolved, That it is the Opinion of this Committee that the ſaid Petition be rejected.

On

On conſidering the *Petition* of *John M'Nelly*, Armorer in the laſt *Virginia* Regiment, it appeared to your Committee that the Petitioner hath already received the Sum of £5 from the Quartermaſter, in Part of his Claim.

Reſolved, That it is the Opinion of this Committee that he ought to be allowed the Sum of £3 by the Publick, in full Satiſfaction for his ſaid Claim.

The *ſix* firſt Reſolutions being read a ſecond Time, and the Queſtion put that the Houſe agree thereto,

Reſolved in the Affirmative.

The *two* laſt Reſolutions being alſo read a ſecond Time, and the Queſtion put that the Houſe agree thereto,

It paſſed in the Negative.

And on a *Motion* made,

Ordered, That the ſaid Reſolutions be recommitted to the ſaid Committee.

Ordered, That the Committee of Claims do make the Allowances in the Book of Claims, purſuant to the 6 firſt Reſolutions. 106

And then the Houſe adjourned until To-morrow Morning 11 o'Clock.

Friday, the 16th of November, 5 Geo. III. 1764.

MR *Landon Carter* preſented to the Houſe, according to Order, a Bill For veſting the abſolute Property of certain Slaves therein named in *George Heal*, and for ſettling a certain Tract of Land therein mentioned on the ſaid *George Heal* in Lieu of the ſaid Slaves; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* of *Michæl Teibolt*, praying to be allowed for a Horſe impreſſed into the Service of this Colony by Capt. *Aſhby*, in the Year 1759, for which he hath not received any Satiſfaction.

Alſo a *Claim* of *Abel Farrar*, a Lieutenant in the new Recruits, for his Pay for 139 Days at 5*s*. a Day, amounting to £34. 15, and praying he may be allowed the ſame by the Publick; were preſented to the Houſe and received.

Ordered, That the ſaid Claims be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame with their opinion thereon, to the Houſe.

Mr *Archibald Cary*, from the Perſons appointed, preſented to the Houſe, according to Order, a Bill To prevent Perſons driving diſtempered Cattle from *North Carolina*, and other Places, into this Colony, and the ſame was read the firſt Time, and ordered to be read a ſecond Time. 107

A *Petition* of *Thomas Mann Randolph*, ſetting forth that ſome Time ago he diſpoſed of a Parcel of Land, of about 1500 Acres, in the County of *King William*, to *Carter Braxton*, Eſq; ſince which he hath diſcovered that the ſaid Land is entailed on him by the Will of [*Ralph Wormeley*][1] deceaſed; and that he is diſirous the ſaid——Title ſhould be ſecured and confirmed to *Carter Braxton* in Fee, and is willing to ſettle————Acres of Fee Simple Land, of great Value, in the County of *Amherſt*, in Lieu of the ſaid entailed Lands; and that he hath publiſhed the Notice required by his Majeſty's Royal Inſtructions in ſuch Caſes; and praying that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Ordered, That a Bill be brought in agreeable to the Prayer of the ſaid Petitioner, and it is referred to Mr *James Littlepage* to prepare and bring in the ſame.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, preſented to the Houſe, according to Order, a Bill For increaſing the Reward given for killing Wolves, and the ſame was read the firſt Time, and ordered to be read a ſecond Time. 108

Mr *Attorney* alſo reported that the ſaid Committee had had under their Conſideration two Petitions to them referred, and had come to two Reſolutions thereon; which he

[1] Hening, VIII, p. 161.

he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to, as follow:

Reſolved, That the Petition of ſundry Inhabitants on the eaſt Side of *Hampton* River in the County of *Elizabeth City*, praying that the Ferry from *Hampton* over the ſaid River, to the eaſt Side thereof, may be made a County Charge, is reaſonable.

Reſolved, That the Petition of *William Frafer*, praying that the publick Landing Place from the Ferry which he now keeps, over *Mattapony* River, may be eſtabliſhed at a Cauſey he has lately raiſed through a Marſh on the oppoſie Side, is reaſonable.

Ordered, That the Committee of Propoſitions do prepare and bring in a Bill or Bills purſuant to the ſaid Reſolutions.

A *Petition* of *John Gregg*, ſetting forth that his Father *John Gregg*, late of the County of *Prince William*, died in or about the Year 1742, poſſeſſed of ſeveral Tracts of Land
109 and Slaves; one Tract of the ſame be deviſed to him in Taille, containing upwards of 2000 Acres lying in *Fairfax* County, on *Occoquan* River; another Tract he deviſed to his ſecond and laſt Son, *Matthew Gregg;* a third Tract he left for the Uſe and Benefit of his Relict, Mrs. *Elizabeth Gregg*, the Petitioner's Mother, for her better Support during Life; the Reſt of his Eſtate, real and perſonal, he left to be ſold to pay his Debts, which, by bad Management, was, with the Slaves, inſufficient to pay the Debts, educate and clothe the Children; the entailed Lands being barren, poor, and unfit for Cultivation, became very burthenſome, by Reaſon of a long Arrearage of Quitrents and Taxes, which he is altogether unable to pay, having no immediate Means to raiſe ſo large a Sum, whereby it is liable to be re-entered and veſted again in the Lord Proprietor of the Northern Neck; and he begs Leave to repreſent to this Honourable Houſe that he was bound in his Minority to the Sea; where he ſerved in his Majeſty's Navy at the ſeveral Sieges of *Martinico Grenada*, and the *Havannah*, &c. and being returned to his native Country, having no Slaves to cultivate the ſaid entailed Lands (if it was fertile and fit for Cultivation) finds it impoſſible to furniſh himſelf with the Neceſſaries of Life, and lay the Foundation of a comfortable Living, according to the true Intent of the Teſ-
110 tator his Father, and altogether deprived of the Power of ſelling the ſaid Lands for any valuable Conſideration, whereby he could raiſe Money to buy Slaves, and other Lands fitter for Cultivation; and praying this Honourable Houſe will take the Matter into their ſerious Conſideration, and grant that a Law may paſs to dock the Entail of the ſaid Lands deviſed to him in Taille as aforeſaid, was preſented to the Houſe and read.

Ordered, That a Bill be brought in agreeable to the Prayer of the ſaid Petition, and it is referred to Mr *Edmund Pendleton* to prepare and bring in the ſame.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To amend the Act for the better Government of Servants and Slaves; and it is referred to Mr *Cary*, and Mr *Charles Carter* of *King George*, to prepare and bring in the ſame.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill Directing the Trial of Slaves committing capital Crimes, and for the more effectual puniſhing Conſpiracies and Inſurrections of them, and for the better Government of Negroes, Mulattoes, and Indians, bond and free, and it is referred to Mr *Attorney* to prepare and bring in the ſame.

111 An *Account* of *James Rentfro*, for Proviſions and other Neceſſaries furniſhed the Militia ordered out into actual Service by Command of his Honour the Governour, and praying to be allowed for the ſame by the Publick, was preſented to the Houſe and read.

Ordered, That the ſaid Account be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Petition* of *Joſeph Rentfro*, praying to be allowed for a Horſe impreſſed by Capt. *John Blagg* to carry on Expreſs from *Blackwater* Fort to *Frederickſburg*, for his Majeſty's Service, which was never returned him, and for which he hath not received any Satiſfaction, was preſented to the Houſe and read.

Ordered

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame with their Opinion thereon, to the Houſe.

Mr *Archibald Cary*, from the Committee of Claims, reported that the ſaid Committee had had under their Conſideration ſeveral Claims and Petitions to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That the Allegations of the Petition of *Charles Carter* are true, and that 112
he ought to be allowed the Sum of £45 for the Wood, and the Rent of the Houſes, for the Uſe of the *Virginia* Regiment, in his Petition mentioned.

Reſolved, That *James Hughes* ought to be allowed the Sum of £10. 9. 8 Halfpenny to reimburſe him for the Judgment and Coſts obtained againſt him for impreſſing the Horſes in his Petition mentioned.

Reſolved, That *John Crawford* ought to be allowed the Sum of £8 for the Damage done on his Plantation by the Troops in the Service of the Colony.

On conſidering a Report of the Commiſſioners appointed by Act of Aſſembly to examine, ſtate, and ſettle the Accounts of the Pay, Proviſions, Arms, and Neceſſaries for the Militia of the Counties of *Hampſhire*, *Frederick*, *Culpeper*, *Prince William*, *Loudoun*, and *Fauquier*.

Reſolved, That the reſpective Claims of *William Ruffel*, *Richard Yancey*, *Moſes Green*, and *William Hughes*, in the ſaid Commiſſioners Report mentioned, be rejected.

Reſolved, That the Adminiſtratrix of *William Staunton*, deceaſed, ought to be allowed the Sum of £10 for the Damage done the Horſe in the ſaid Commiſſioners Report mentioned.

Mr *Cary* alſo reported that the ſaid Committee had had under their further Conſideration the Petitions of *John Aſhworth* and *John M'Nelly* to them re-committed, 113
and had come to two Reſolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to, as follow:

Reſolved, That the ſaid *John Aſhworth* ought to be allowed the Sum of £32. 5. 6 for Waggonage and finding his Horſes, agreeable to the Account in his Petition mentioned.

Reſolved, That the ſaid *John M'Nelly* ought to be allowed the Sum of £15. 9. 9 for repairing the Arms of the *Virginia* Regiment.

A *Claim* of *John M'Clanahan*, for ſeveral Tools which were taken from him for the Uſe of Fort *Maddiſon*, by the Commanding Officer of the ſaid Fort, and never returned him, appraiſed to £3. 17. 6, which Sum he hath never received, or any Part thereof, and praying to be allowed the ſame by the Publick, was preſented to the Houſe.

Ordered, That the ſaid Claim be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To prevent the Practice of ſelling Perſons for Slaves that are not ſo; and it is referred to Mr *Grymes*, and Mr *Richard Henry* 114
Lee, to prepare and bring in the ſame.

And then the Houſe adjourned until To-morrow Morning 11 o'Clock.

Saturday, the 17th of November, 5 Geo. III. 1764.

A *Bill* For further continuing the Act for reducing the ſeveral Acts for making proviſions againſt Invaſions and Inſurrections into one Act.

* *Alſo* a *Bill* For further continuing an Act, entitled, *An Act*[1] *for reducing the ſeveral Acts made for laying a Duty on Liquors into one Act*, were read the ſecond Time.

Ordered, That the ſaid Bills be engroſſed, and read a third Time.

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[1] Hening, VII, p. 106.

A *Bill* To prevent Perſons driving diſtempered Cattle from *North Carolina*, and other Places, into this Colony, was read a ſecond Time, and committed to a Committee of the whole Houſe on *Tueſday* next.

Alſo a *Bill* For veſting the abſolute Property of certain Slaves therein named in *George Heal*, Gentleman, and for ſettling a certain Tract of Land therein mentioned on the ſaid *George Heal* in Lieu of the ſaid Slaves, was read a ſecond Time, and committed to Mr *Landon Carter*, Mr *Benjamin Harriſon*, Mr *Cary*, and the Members of *Lancaſter*, and *Fauquier*.

115 On a *Motion* made,

Ordered, That it be an Inſtruction to the Committee of Claims to levy on the Inhabitants of *Albemarle* County, for the Uſe of *Amherſt* and *Buckingham*, their juſt Proportion of 6027 lbs. of Tobacco, which the ſaid County of *Albemarle* had Credit for in the publick Levy in 1761.

And then the Houſe adjourned until Monday Morning 11 o'Clock.

Monday, the 19th of November, 5 Geo. III. 1764.

AN engroſſed *Bill*, entitled, *An Act*[1] *for further continuing the Act for reducing the ſeveral Acts for making Proviſions againſt Invaſions and Inſurrections into one Act*, was read a third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[2] *for further continuing An Act, entitled, An Act for reducing the ſeveral Acts made for laying a Duty on Liquors into one Act*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

116 *Ordered*, That Mr *Benjamin Harriſon* do carry up the ſaid Bill to the Council for their Concurrence.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that the ſaid Committee had had under their Conſideration a Petition of ſundry Inhabitants of the County of *Amelia* to them referred, and had come to two Reſolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That that Part of the ſaid Petition, praying that the Inſpectors at the publick Warehouſes may be obliged to keep a ſufficient Number of Hands to open and ſecure all the Tobacco brought to the Warehouſes, is reaſonable.

Reſolved, That the Reſidue of the ſaid Petition, praying that the Inſpectors may be ſworn to aſcertain in their Crop Books and Notes the Quality of the Tobacco they paſs, be rejected.

Ordered, That it be an Inſtruction to the ſaid Committee, to whom it is referred to bring in a Bill, For amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms, that they receive a Clauſe, or Clauſes, purſuant to the firſt Reſolution.

117 A *Petition* of *John M'Neill*, praying to be allowed the Pay of a Captain from the 25th Day of *Auguſt* 1755, until the 17th Day of *October* 1757, amounting to £195. 10, was preſented to the Houſe and read; and the Queſtion being put that the ſaid Petition be referred to the Conſideration of a Committee,

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

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[1] Heni ng, VIII, p. 37. [2] *Ibid.*, VIII, p. 38.

A *Petition* of *William Fuqua*, praying to be allowed for 38 Days Pay as a Soldier under the Command of Major *David Lewis* on the Frontiers, in the year 1756, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

And then the Houſe adjourned until To-morrow Morning 11 o'Clock.

Tuesday, the 20th of November, 5 Geo. III. 1764.

A *Petition* of *John Agnew*, Rector of the Pariſh of *Suffolk*, in the County of *Nanſemond*, ſetting forth that the ſaid Pariſh is ſituated on both Sides of *Nanſemond* River, over which there is a Ferry, ſettled by Law at 1*s*. 3*d*. a Man and Horſe, which Expenſe, he is obliged to ſuſtain whenever the Pariſh requires his Attendance on the other Side, which is grievous and burthenſome; and praying that the ſaid Ferry may be made free on *Sundays* for all the Pariſhoners of the ſaid Pariſh, and for the Miniſter at all Times when attending the Duty of the ſaid Pariſh, and that an Act may paſs for that purpoſe, was preſented to the Houſe and read. 118

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Petition* of divers Inhabitants of the County of *Prince George*, and the adjacent Counties, praying that the Warehouſes for the Inſpection of Tobacco at *Hood's* and *Jordan's* (which being found inconveniently ſituated) be diſcontinued, and a Warehouſe eſtabliſhed in Lieu thereof on the Land of *George Noble*, on the lower Side of *Powell's* Creek, in the County of *Prince George*, and that an Act may paſs for that Purpoſe.

Alſo two *Petitions* of ſundry Merchants in Oppoſition thereto, were ſeverally preſented to the Houſe and read.

Ordered, That the ſaid Petitions do lie on the Table.

A *Petition* of *Nathaniel Harriſon*, Jun. ſetting forth that his Grandfather by his laſt Will and Teſtament, bearing the Date of the 15th of *December* 1726, did deviſe to his Father *Benjamin Harriſon* a Tract of Land called *Wakefield*, lying in the County of *Surry*, and another Tract of Land called *Joſeph's Swamp*, then in the County of *Surry*, but now in the County of *Suſſex*, in Taille Male, and ſeveral Tracts of Land in Fee Simple, together with a great Number of Slaves, and perſonal Eſtate, all of which have been ſold to pay his ſaid Father's Debts; and the ſaid entailed Lands, for Want of Slaves, yield him no Profit, but are on the contrary a Charge and Encumbrance to him; and praying that an Act may paſs to dock the Entail of the ſaid Tract of Land called *Joſeph's Swamp*, and the Money ariſing therefrom may be laid out in the Purchaſe of Slaves, to be ſettled on the *Wakefield* Land, to deſcend to the ſame Uſes; and that he had given Notice thereof according to his Majeſty's Inſtructions, was preſented to the Houſe and read. 119

Ordered, That a Bill be brought in agreeable to the Prayer of the ſaid Petition, and it is referred to Mr *Attorney* to prepare and bring in the ſame.

Ordered, That Mr *Richard Bland* be added to the Committee appointed to addreſs his Majeſty, and the Lords and Commons of *Great Britain*, on the State of the Colony.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill For preventing Perſons driving diſtempered Cattle from *North Carolina*, and other Places, into this Colony. 120

Reſolved, That this Houſe will reſolve itſelf into a Committee on the ſaid Bill on *Thurſday* next.

A *Petition* of *John Cabbell*, praying that a Ferry may be eſtabliſhed over the *Fluvannah* River, from his Land in the County of *Amherſt* to the oppoſite Shore in the County of *Buckingham*, was preſented to the Houſe and read.

Ordered

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Ordered, That Mr *Richard Bland*, Junior, be added to the Committee of Propoſitions, and Mr *Iſaac Row Walton* to the Committee of Claims.

Mr *Attorney*, from the Committee of Propoſitions, preſented to the Houſe, according to Order, a Bill For amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco and preventing Frauds in his Majeſty's
121 Cuſtoms; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Cary* preſented to the Houſe according to Order, a Bill To amend the Act for the better Government of Servants and Slaves, and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time. And

On a *Motion* made,

The *Bill* For amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms, was read a ſecond Time, and committed to a Committee of the whole Houſe.

Reſolved, That this Houſe will reſolve itſelf into a Committee on the ſaid Bill To-morrow.

And then the Houſe adjourned until To-morrow Morning 11 o'Clock.

Wednesday, the 21st of November. 5 Geo. III. 1764.

ON a *Motion* made,

Ordered, That Leave be given to bring in a Bill To oblige the Pariſh of *Cumberland* to refund to the Pariſh of *Antrim* their Proportion of the Money levied for building 4 Churches in the ſaid Pariſh of *Cumberland* before the Diviſion thereof, and it is referred to Mr *Terry* and Mr *Reed* to prepare and bring in the ſame.

A *Petition* of *Jethro Summer*, praying to be allowed for a Horſe impreſſed into the
122 Service of this Colony by Order of Col. *Stephen* in the Year 1757, and never returned to him, nor any Satiſfaction made him, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill For amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms.

Reſolved, That the Houſe will reſolve itſelf into the ſaid Committee immediately.

Ordered, That the ſeveral Petitions from ſundry Counties relative thereto, and ordered to lie on the Table, be referred to the Conſideration of the ſaid Committee.

And then the Houſe reſolved itſelf into a Committee on the ſaid Bill; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had had the ſaid Bill under their Conſideration, but not having Time to go through the ſame, they had directed him to move for Leave to ſit again.

Reſolved, That this Houſe will again reſolve itſelf into the ſaid Committee on
123 *Tueſday* next.

On a *Motion* made,

Ordered, That Mr *John Clack* do pay unto Mr *Iſaac Row Walton* his Expenſes occaſioned by his Petition, praying that the ſaid *Walton's* Election might be ſet aſide; and it is referred to the Committee of Claims to ſettle the ſame.

A *Petition* of *Matthew Dowrant*, praying to be allowed ſome Conpenſation for the Wounds he received in the Service of this Colony; which have reduced himſelf, his Wife, and his 3 Children, to Want and Miſery, was preſented to the Houſe and read.

Ordered

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that the ſaid Committee had had under their Conſideration the Petitions of the Rev. *John Agnew* and Mr *John Cabbell* to them referred, and had come to two Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That the Petition of the Reverend *John Agnew* Rector of *Suffolk* Pariſh, 124
in the County of *Nanſemond*, praying that he may be allowed to paſs over the Ferry at *Sleepy Hole*, when attending the Duties of his Function, Ferry free, and that all the other Pariſhioners may be alſo Ferry free on *Sunday's*, is reaſonable.

Reſolved, That the Petition of *John Cabbell*, praying that a Ferry may be eſtabliſhed acroſs the *Fluvannah* at or near *Bowman's* Warehouſe, in the County of *Amherſt*, to his Land oppoſite thereto, in the County of *Buckingham*, is reaſonable.

Ordered, That the ſaid Committee do prepare and bring in a Bill, or Bills, purſuant to the ſaid Reſolutions.

A *Petition* of divers Inhabitants of the County of *Lunenburg*, ſetting forth that the Paſſage of Fiſh up the River of *Little Roanoke* is greatly obſtructed by Means of Dams, Stops, and Hedges, being erected therein, near the Mouth thereof, to the Detriment of the ſaid Petitioners, and other Inhabitants of the ſaid County bordering on the ſaid River; and praying that an Act may paſs to reſtrain ſuch Practices for the future, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, preſented to the 125
Houſe, according to Order, a Bill For eſtabliſhing the Landing Place from *Fraſier's* Ferry at the Cauſey oppoſite thereto; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* of *James Bryant*, praying to be allowed for the Damages done to his Plantation by the Troops of this Colony in the Year 1760, who encamped there.

Alſo a *Petition* of *John Donnelly*, praying to be allowed by the Publick for a Horſe taken from him by ſome of the Cherokee Indians that came to the Aſſiſtance of this Colony in the Year 1758, appraiſed to £10, and which was never returned to him, nor any Satiſfaction made him, were ſeverally preſented to the Houſe and read.

Ordered, That the ſaid Petitions be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Mr *Attorney* preſented to the Houſe, according to Order, a Bill To dock the Entail of [1800][1] Acres of Land, in the Pariſh of *Albemarle* and County of *Suſſex*, whereof *Nathaniel Harriſon* the Younger is ſeized in Fee Taille, and for veſting the ſame in Truſtees in Fee Simple for the Uſes therein mentioned; and the ſaid Bill was read the firſt 126
Time, and ordered to be read a ſecond Time.

A *Petition* of ſundry Inhabitants of the County of *King William*, ſetting forth that there are five Inſpections for Tobacco in the ſaid County, which by Experience are found expenſive and unneceſſary; and praying that two or more of the ſaid Inſpections may be diſcontinued, or ſuch other Meaſures taken as this Honourable Houſe ſhall adjudge reaſonable, was preſented to the Houſe and read.

Ordered, That the ſaid Petition do lie on the Table.

Mr *Cary*, from the Committee of Claims, reported that the ſaid Committee had had under their Conſideration the ſeveral Matters to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved

[1] Hening, VIII, p. 66.

Reſolved, That *Joſeph Rentfro* ought to be allowed the Sum of £7 for the Horſe in his Petition mentioned.

Reſolved, That *Michæl Teibolt* ought to be allowed the Sum of £10 for the Horſe in his Petition mentioned.

Reſolved, That *John Armſtrong* and *Lanty Armſtrong* ought to be allowed the Sum of £30 each for their Pay in the Service of the Colony.

127 *Reſolved*, That *William Fuqua* ought to be allowed the Sum of £1. 18 for his Pay in the Service of the Colony.

On conſidering the *Petition* of *John Craig*, it appears to your Committee that there is now due to the Eſtate of Lieutenant *John Hamilton*, deceaſed, in his Petition mentioned, the Sum of £23. 12 for his Pay in the Service of the Colony.

Reſolved, That the ſaid Sum of £23. 12 ought to be paid to the Adminiſtrator of the ſaid *John Hamilton*, deceaſed, by the Publick.

Reſolved, That the Petition of the ſaid, *John Craig* be rejected, it not appearing to this Committee that he ever adminiſtered on the Eſtate of the ſaid *John Hamilton*, deceaſed.

And then the Houſe adjourned until To-morrow Morning 11 o'Clock.

Thurſday, the 22nd of November, 5 Geo. III. 1764.

A *Petition* of *John Dixon*, Clerk, praying that a Part of his Land may be added to, and laid off together with the Land intended to be laid off by the Truſtees of the Town of *Falmouth* into Lots, for the Benefit of the Publick, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee
130 of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, preſented to the Houſe, according to Order, a Bill For amending and declaring the Law concerning the Eſcape of Debtors out of the Priſon Rules, and for other Purpoſes therein mentioned; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Attorney* alſo reported that the Committee had had under their Conſideration two Petitions to them referred, and had come to two Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where the ſame were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That the Petition of *Archibald Ritchie*, of the Town of *Tappahannock*, and ſundry other Inhabitants of the ſaid Town, and the Counties adjacent thereto, praying that the Ferry from the ſaid Town to *Naylor's Hole*, and *Carter's* Landing, may diſcontinued, and that a new Ferry may be eſtabliſhed from the Land of the ſaid *Archibald Ritchie*, in the ſaid Town, to the Land of *Moore Fauntleroy*, in the County of *Richmond*, is reaſonable.

131 *Reſolved*, That the Petition of the Truſtees of the Town of *Falmouth*, in the County of *King George*, praying that they may be permitted to lay off 50 Feet in Width of *King's* Street in the ſaid Town into Lots, and to ſell them, and lay out the Money as they ſhall think proper for the Improvement of the ſaid Town; alſo that the Purchaſers of Lots therein may not be ſubject to a Forfeiture of their Lots for not building thereon in a limited Time; and that the Inhabitants thereof may be reſtrained from building wooden Chimnies to their Houſes, or ſuffering their Hogs to run at large in the ſaid Town, is reaſonable.

Ordered, That the Committee of Propoſitions do prepare and bring in a Bill, or Bills, purſuant to the ſaid Reſolutions.

Two *Petitions* of divers Inhabitants of the lower End of *Auguſta* County, praying that a Road through *Swift Run*, over the Mountains, may be eſtabliſhed, and that the

Juſtices

Juſtices of the County be enabled to levy a Sum of Money on the Inhabitants thereof ſufficient for that Purpoſe, were preſented to the Houſe and read.

Ordered, That the ſaid Petitions be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill To prevent Perſons driving diſtempered Cattle from *North Carolina*, and other Places, into this Colony.

The Houſe immediately reſolved itſelf into a Committee on the ſaid Bill; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had had the ſaid Bill under their Conſideration, and made ſeveral Amendments thereto, but not having Time to go through the ſame, they had directed him to move for Leave to ſit again.

Reſolved, That this Houſe will again reſolve itſelf into a Committee on the ſaid Bill To-morrow.

A *Bill* To dock the Entail of [1800][1] Acres of Land in the Pariſh of *Albemarle* and County of *Suſſex*, whereof *Nathaniel Harriſon* the Younger is ſeized in Fee Taille, and for veſting the ſame in Truſtees in Fee Simple for the Uſes therein mentioned, was read a ſecond Time, and committed to Mr *Attorney*, and the Members of *Surry* and *Suſſex*.

Mr *Cary*, from the Committee of Claims, reported that the Committee had had under their Conſideration ſundry Petitions to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place; and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow: 133

Reſolved, That Lieutenant *Jethro Summer* ought to be allowed the Sum of £9 for the Horſe in his Petition mentioned.

Reſolved, That *John Donnelly* ought to be allowed the Sum of £10 for the Horſe in his Petition mentioned.

Reſolved, That *James Bryant* ought to be allowed the Sum of £9. 10 for the Damages done on his Plantation by the Troops of this Colony.

Reſolved, That the Petition of *Matthew Dowrant* be rejected.

And then the Houſe adjourned until To-morrow Morning 11 o'Clock.

Friday, the 23rd of November, 5 Geo. III. 1764.

A *Repreſentation* of divers Freeholders and Inhabitants of the County of *Elizabeth City*, in Oppoſition to a Petition of *Henry Allen*, to erect a Bridge and Mill over the Branch of the *Back* River called *Back* River Creek, and for other Purpoſes therein mentioned; and praying the ſaid Petition may be rejected, as injurious to them, was preſented to the Houſe and read.

Ordered, That the ſaid Repreſentation do lie on the Table.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For the Relief of Pariſhes from ſuch 134
Charges as may ariſe from Baſtard Children born within the ſame, and it is referred to Mr *Bland* to prepare and bring in the ſame.

A *Petition* of *John Dixon*, Clerk, praying that the Ferry from his Land, adjacent to *Falmouth* Wharf, over the River, to the Land of *Francis Thornton*, in the County of *Spotſylvania*, may be eſtabliſhed, and that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Petition* of *William Cary*, ſetting forth that he is ſeized as Tenant in Fee Taille, under the Will of his Grandfather *William Cary*, deceaſed, of 360 Acres of Land in the County of *Warwick:* That he has lived on the ſaid Land for many Years paſt without Slaves

[1] Hening, VIII, p. 66.

Slaves to cultivate it, whereby he is greatly injured; and that it would be greatly to the Advantage of himſelf, and the Heir in Taille, if he was permitted to ſell the ſaid Land, and lay out Part of the Money ariſing from the Sale thereof in the Purchaſe of other
135 Lands and Slaves, to be ſettled to the ſame Uſes: That he hath lately contracted with one *Allen Jones* to ſell the ſaid Lands to him for a conſiderable Sum, if he could obtain an Act to enable him ſo to do; and praying that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Ordered, That a Bill be brought in agreeable to the Prayer of the ſaid Petition, and it is referred to Mr *Smith* to prepare and bring in the ſame.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee to take into their further Conſideration the Bill To prevent Perſons driving diſtempered Cattle from *North Carolina*, and other Places, into this Colony.

Reſolved, That this Houſe will reſolve itſelf into the ſaid Committee on *Monday* next.

And then the Houſe adjourned until Monday Morning 11 o'Clock.

Monday, the 26th of November, 5 Geo. III. 1764.

TWO new *Members* returned on new Writs, having taken the Oaths appointed to be taken by Act of Parliament inſtead of the Oaths of Allegiance and Supremacy and ſubſcribed the Oath of Abjuration, and alſo repeated and ſubſcribed the Teſt, took their Seats in the Houſe.

136 *Ordered*, That Mr *Thomas Johnſon*, Mr *William Johnſon*, and Mr *Proffer*, be added to the Committee of Claims, and Mr *Champe*, to the Committee of Propoſitions and Grievances.

Mr *Bland*, from the Committee of Privileges and Elections, reported that the ſaid Committee had had under their further Conſideration the Petition of Mr *Nathaniel Weſt Dandridge* to them referred, complaining of an undue Election and Return of Mr *James Littlepage* to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Hanover*, and had examined ſeveral Witneſſes, and fully heard as well the Petitioner as the ſitting Member by their Counſel, and had agreed upon a Report, and come to a Reſolution thereon; which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to, as follows:

Your *Committee* beg Leave to inform the Houſe that it appears to them, from the Teſtimony of one *Harry Tompkins*, a Freeholder of the ſaid County that ſoon after Mr *Dandridge* had accepted of a Coroner's Commiſſion, the ſetting Member having declared himſelf a Candidate for the ſaid County, wrote a Letter directed to Meſs. *Burnley*, *Starke*, and *Cock*, Freeholders of the ſaid County; that the ſaid Letter was ſent to a Church in the ſaid County, where thoſe Gentlemen were, together with the Deponent;
137 that the Deponent was deſired to read the ſaid Letter, the Purport of which was (to the beſt of his Remembrance) "That he, the ſitting Member, was that Day gone to the lower Meeting Houſe of the Diſſenters, to know their Sentiments whether they would ſubmit to the damned Tobacco Law, and deſired to know whether they alſo would ſubmit to it; that if they would ſend him Burgeſs he would be hanged, or burnt (or Words to that Effect) if he did not get that Part of it, directing a Review of Tobacco, repealed, as being an Infringement on the Liberty of the Subjects, the Inſpectors being ſo intimidated by it that they refuſed the greateſt Part of their Tobacco; and that he would endeavour to have the Inſpectors choſen by the People." That the Deponent was of Opinion the ſitting Member had at firſt very little Intereſt in that Neighbourhood, but that he afterwards heard many People ſay that his Promiſes to be of ſo much Service to them ought to have ſome Weight in their ſending him a Burgeſs; and he believes it had ſome Influence on the Freeholders, though he himſelf made Intereſt, and voted for Mr *Dandridge*.

Mr

Mr *John Winſton* alſo depoſed that he ſaw the Letter above mentioned, which was handed about amongſt the Freeholders; though he read but two or three Lines of it, and he believed it had ſome Influence with the Freeholders. 138

Mr *Harding Burnley* depoſed that he was one of the Perſons to whom the ſaid Letter was directed, the Purport of which was as is before recited by Mr *Tompkins*, except that he does not remember the Expreſſions "that the ſitting Member would be hanged, or burnt, if he did not get that Part of the Tobacco Law directing a Review of Tobacco repealed;" that he believed the People in general in that Quarter were Friends to the ſitting Member; that Mr *Dandridge* told him, the Deponent, that Mr *Littlepage* had been with him, and offered to decline being a Candidate for the ſaid County if he would ſtand, but that he had adviſed Mr *Littlepage* to ſet up as a Candidate.

It alſo appears to your *Committee*, from the Evidence of one *Thomas Underwood*, that ſeveral People declared they would vote for the ſitting Member, in Conſequence of his Promiſes about the Tobacco Law; and from the Teſtimony of Mr *John Boſwell*, it alſo appears that on the Day of the Election, juſt before the Poll was opened, the ſitting Member publickly and openly declared, in the Court Houſe, before a great Number of People, that he did not look upon any of the Promiſes he had made to the People as binding on him, but that they were all void.

The *Petitioner* then, by his Counſel, produced, and laid before your Committee, two ſeveral Letters from the ſitting Member, which he acknowledged to be of his Writing, and are both dated the 12th of *November* 1763, one of which is directed to Mr *William Hughes*, Senior, a Freeholder, and is in theſe Words: 139

Dear Sir,

As Mr Dandridge *has taken a Coroner's Commiſſion, I am to inform you I ſhall offer myſelf to ſerve this County, and ſhall be obliged to you for your Vote and Intereſt. My Plan, Sir, is to ſerve the People that's now ſo injured by the damned Inſpecting Law, that the Merchants ſhall have a View, or a Review, on the Tobacco, after it has paſt, that has ſo great Influence on the Men called Inſpectors that they refuſe all Tobacco. Mr* M'Dowell *declared publickly, on* Friday *laſt, he would review all the Tobacco this Year. You may depend I have Intereſt enough to have that taken off, and I want to have the Inſpectors choſe every Year by the Freeholders of the County. I will be at your Church To-morrow Se'nnight, and to your Houſe. I am,*

Dear Sir,

Your affectionate Servant,

JAMES LITTLEPAGE.

The other is directed to Mr *William Hawes*, a Freeholder, and is in theſe Words: 140

Dear Sir,

As you know Col. Dandridge *has declined ſerving this County, I ſhall be obliged to you for your Intereſt, as I purpoſe only to ſerve the People, now ſo injured by the Inſpecting Law, for the Merchants to have a Review on Tobacco. I want the Inſpectors choſen by the Planters yearly, Mr* M'Dowell *has declared, in publick, he will review all the Tobacco he purchaſes this Year. I ſhall be at your Church on* Sunday *Se'nnight.*

I am, dear Sir,

Your affectionate Servant,

JAMES LITTLEPAGE.

Your *Committee* further beg Leave to inform the Houſe that by the Teſtimony of Mr *Samuel Overton*, named in Mr *Dandridge's* Petition, it appears to them that on the 14th Day of *January* laſt, as the ſitting Member and himſelf were returning from a Treat given by the ſitting Member to the Freeholders of the ſaid County two Days before, the Converſation turning on the Expenſes they were putting themſelves to on that Occaſion, the ſitting Member propoſed to him that they ſhould go both together to Mr *Dandridge* and offer to decline ſtanding a Poll at the Election if he would pay them the

the Expenſes they had been at: That they then came to no Determination on that
141 Propoſal; but in the Evening of the ſame Day the ſaid *Overton* voluntarily, and of his own Accord, as he declared, propoſed to the ſitting Member to pay him his Expenſes if he would by no Means conſent to; whereupon the ſaid *Overton* offered to drop his Pretenſions, and not ſtand a Poll, if the ſitting Member would pay him the Expenſes he had incurred, as well in that as a former Election, which he ſuppoſed amounted to about £75; at the ſame Time aſſuring him that he himſelf ſhould vote againſt him, yet that he would not otherwiſe concern himſelf in the Election, one Way or the other: That the ſitting Member, after ſome Deliberation, cloſed with this Propoſal, but with a Proviſo at the ſame Time, agreed to by them both, that if Mr *Henry* ſhould declare himſelf a Candidate for the ſaid County, and be elected a Burgeſs, he ſhould pay the ſaid *Overton* £50 only. Mr *Overton* then acknowledged that the ſitting Member had complied with his Engagement, in paying him the Sum agreed on, but that he had voted for the Petitioner at the ſaid Election.

Your *Committee* are now to inform the Houſe that it appears to them, as well from the Teſtimony of the above named *Samuel Overton*, as one of *Jacob Hundley*, that the ſaid *Overton* had, before his ſaid Agreement with the ſitting Member, ordered the ſaid
142 *Hundley* to prepare a Treat for ſome of the Freeholders of the ſaid County at his Houſe, on *Friday* the 13th of *January;* and, as the ſaid *Overton* depoſed, before he knew that the Writ was iſſued for electing a Burgeſs, though he expected it was: That the ſaid *Hundley* having heard that Mr *Overton* had declined ſtanding a Candidate, ſent a Meſſenger to let him know that ſeveral People had aſſembled at his Houſe, and deſired his Directions whether they were to be treated at his Expenſe: That Mr *Overton* thereupon ordered him to let them have four Gallons of Rum made into Punch, and he would pay for it; which they accordingly had, and was paid for by the ſaid *Overton:* That the ſitting Member being preſent at the ſaid Treat, was told by *Hundley* that the Liquor was all drank, whereupon he ordered two Gallons more, and ſaid he ſuppoſed Mr *Overton* would pay *Hundley* for that, as well as the reſt; and the ſaid *Hundley* depoſed that he expected Payment of thoſe two Gallons of Mr *Overton* only, and not of the ſitting Member; and that he does not know whether any of the Company heard the ſitting Member order thoſe two Gallons of Liquor, but that they all knew the Treat to be Mr *Overton's;* and believes they were chiefly in the Intereſt of the ſitting Member.

143 It further appears to your *Committee* that Mr *William Macon* who voted for the Petitioner, went with Mr *Overton* (before he had agreed upon the Terms above mentioned with the ſitting Member) to endeavour to prevail upon him to conſent to their treating the Freeholders of the ſaid County, until the Day of Election; but that he abſolutely refuſed ſo to do, and declared he would not treat after the Writ was iſſued. It appears that the ſaid Writ bore Teſt the 13th Day of *January* laſt.

It likewiſe appears to your *Committee*, from the Evidence of Mr *John Boſwell*, that after the Petitioner was appointed a Coroner the ſitting Member aſked the Deponent what Chance he thought he might have amongſt the People of his Neighbourhood if he ſhould declare himſelf a Candidate: That the ſaid *Boſwell* ſoon after wrote him that he thought he might have a good Chance, if he would go up amongſt them: That the ſitting Member accordingly went up, and the ſaid *Boſwell* rode about with him among the People; and ſome of them ſaying it was too cold Weather to go ſo long a Way (it being above 25 Miles) to the Election, the ſitting Member told them they ſhould be welcome if they would call at his Houſe in their Way down: That accordingly about 10
144 of them, with the ſaid *Boſwell*, did go to his Houſe the Evening before the Election, which is about 5 miles above the Court Houſe, where they were hoſpitably entertained, for which the ſaid *Boſwell* declared the ſitting Member was remarkable, though their Entertainment was not more than was uſual with him: That in the Evening two men came in, who ſaid that they came from home with an Intention to vote for the ſitting Member, but having juſt heard that Mr *Dandridge* had declared himſelf a Candidate, they muſt vote for him, as he had been very kind to them; to which the ſitting Member anſwered, it ſhould make no Difference with him; they might vote as they pleaſed;

but

but it does not appear for whom they did vote: That ſeveral of the above Company were pretty merry with Liquor when they came to the ſitting Member's Houſe, where they chiefly drank Cider: That ſome of them drank Drams in the Morning, and went merry to the Court Houſe; but that the ſitting Member had gone off early in the Morning with the ſaid *Boſwell*.

It further appears as well from the Evidence of the ſaid *Boſwell*, as of one *Paul Tilman*, the Perſon employed by the ſitting Member to prepare his Entertainment at the Election, that both before, and on the Day of Election, the ſitting Member expreſſly ordered the ſaid *Tilman* not to give the Freeholders any Liquor until after the cloſing the Poll; and that none of them had any Liquor, except ſome few who inſiſted on it, and paid for it themſelves. 145

It further appears to your Committee that the Day after *Chriſtmas* Day the ſitting Member told one *Richard Richardſon* there would be an Election ſoon and aſked him if he would not go to it; who anſwered that he would, and ſhould make bold to call at his Houſe in his Way, but ſhould not vote for him, though he declared to your Committee he did intend at that Time to vote for him: That the ſitting Member told him it ſhould make no Difference whether he was for him or againſt him; that he ſhould be welcome at his Houſe, and deſired him to bring ſome of his Neighbours with him; That he accordingly called there with 4 of his Neighbours, where they were kindly entertained; and that he knew of no other Invitations from the ſitting Member than the above.

It likewiſe appears to your *Committee*, from the Teſtimony of Mr *Thomas Underwood*, who lives in the upper Part of the ſaid County of *Hanover*, about 25 Miles above the ſitting Member, that ſome Time before the ſaid Election, but whether after the Writ was iſſued he knows not, he received an Invitation from the ſitting Member to come to his Houſe the Evening before the Election, and he deſired him to give the like Invitation to, and make it publick amongſt, the People of his Neighbourhood, that they ſhould be all welcome at his Houſe, whether Freeholders or not: That on the Day of the Election one *Grubbs*, a Freeholder, who lives about ſix Miles above the ſitting Member, came to the Court Houſe, and declared he was ready to vote for any one who would give him a Dram: That the ſaid *Underwood*, as a Friend to Mr *Dandridge*, endeavoured to get a Dram for him, but could not: That *Richard Richardſon*, who was a Friend to the ſitting Member, but without his Knowledge, did, at his own Expenſe, procure a Dram for the ſaid *Grubbs*, who voted for the ſitting Member. 146

Your *Committee* further inform the Houſe that one *Robert Hart* depoſed he was at the above mentioned Treat made by Mr *Overton* at *Hundley's*, and that when the Liquor was drank out more was called for, and brought, but on whoſe Account he knows not; and that one *John Wynn* alſo depoſed he was at a Treat made by the ſitting Member before the Writ for electing a Burgeſs was out, and alſo at the ſaid *Overton's* Treat at *Hundley's*, and that he voted for the ſitting Member.

On Conſideration of the whole Matter,

Reſolved, That the ſaid Mr *James Littlepage* is duly elected to ſerve as a Burgeſs in this preſent General Aſſembly for the ſaid County of *Hanover*. 147

Reſolved, That the ſaid Petition is frivolous and vexatious.

Ordered, That the Petitioner do pay unto the ſitting Member his Coſts, occaſioned by his ſaid Petition; and it is referred to the Committee of Claims to ſettle and adjuſt the ſame.

On a *Motion* made,

Ordered, That *Bertrand Ewell* be ſent for, in Cuſtody of the Sergeant at Arms, to appear at the Bar of this Houſe to anſwer his Contempt in not appearing, purſuant to an Order of this Houſe of the————[1]Day of———— laſt, to make his Defence agreeable to the Prayer of his Petition.

The Houſe, according to Order, reſolved itſelf into a Committee on the Bill To prevent Perſons driving diſtempered Cattle from *North Carolina*, and other Places, into this

[1] See page 242.

this Colony; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had had the ſaid Bill under their further Conſideration, but not having Time to go through the ſame they had directed him to move for Leave to ſit again.

148 *Reſolved*, That this Houſe will again reſolve itſelf into the ſaid Committee on the ſaid Bill To-morrow.

And then the Houſe adjourned until To-morrow Morning 11 o'Clock.

Tuesday, the 27th of November. 5 Geo. III. 1764.

A *Petition* of divers Inhabitants of the Counties of *Eſſex* and *Caroline*, ſetting forth that the Wharehouſes for the Reception of Tobacco at *Occupatia* Creek are in a ruinous Condition, and the Rents thereof no way ſufficient to anſwer the neceſſary Repairs; and praying that they may be diſcontinued, and new Warehouſes erected at *Port Micou's*, and that the ſame may be put under the Inſpection with *Layton's*, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to a Committee of the whole Houſe, to whom the Bill For amending an Act, entitled, *An Act*[1] *for amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and for preventing Frauds in his Majeſty's Cuſtoms*, is referred.

Mr *Terry*, from the Perſons appointed, preſented to the Houſe, according to Order, a Bill To oblige the Pariſh of *Cumberland* to refund to the Pariſh of *Antrim* their Proportion of the Money levied for building four Churches in the ſaid Pariſh before the
149 Diviſion thereof; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* of *James Galt*, Keeper of the Publick Gaol, praying a Continuance of his former Salary.

Reſolved, That the Sum of £15 be paid to the ſaid *James Galt*, over and above his uſual Salary of £25 per Annum.

Reſolved, That 10 lbs. of Tobacco per Day be allowed to the ſaid *James Galt* for every Criminal committed to the ſaid Gaol during ſuch Criminal's Impriſonment, from this Time to the End of the next Seſſion of Aſſembly.

A *Petition* of *Bryant Leſter*, praying to be paid by the Publick for a Gun and Bayonet impreſſed into his Majeſty's Service in the Year 1757, and valued at £4, and never returned him, nor hath he received any Satiſfaction for the ſame, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Petition* of *John Bell*, praying to be allowed by the Publick for ſeveral Years Attendance to ſhackle and handcuff the Criminals committed to the Publick Gaol, taking
150 off their Irons when carried up to their Trials, or otherwiſe diſcharged, for which he hath never received any Satiſfaction, was preſented to the Houſe and read; and the Queſtion being put that the ſaid Petition be referred to a Committee,

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

A *Meſſage* from the Council was delivered by Mr *Walthoe*.

That they have agreed to the Bill, *entitled*, An Act[2] for dividing the County of *Lunenburg* into three diſtinct Counties.

Alſo to the Bill, *entitled*, An Act[3] for dividing the Pariſh of *Truro*, in the County of *Fairfax*.

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[1] Hening, VIII, p. 387, [2] *Ibid.*, VIII, p. 41. [3] *Ibid.*, VIII, p, 43.

A *Petition* of *Richard Doggett*, ſetting forth that in the Year 1762 he enliſted 13 Recruits for the *Virginia* Regiment, to whom he paid the Bounty Money, and ſubſiſted them until he delivered them to Capt. *John Blagg* of the ſaid Regiment.

That 3 of the ſaid Recruits deſerted from Capt. *Blagg* before they were received by the Commanding Officer, and that he hath never had returned to him the Bounty Money, Subſiſtence, or Recruiting, amounting to £37. 10; and praying to be allowed the ſame by the Publick, was preſented to the Houſe and received.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with 151
their Opinion thereon, to the Houſe.

Mr *Henry Lee*, from the Perſons appointed, preſented to the Houſe, according to Order, a Bill To dock the Entail of certain Lands whereof *John Gregg* is ſeized, and for ſettling other Lands and Slaves to be purchaſed in Lieu thereof to the ſame Uſes; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly, and it is referred to Mr *Henry Lee* to prepare and bring in the ſame; and that he receive a Clauſe, or Clauſes, for the Payment of the Burgeſſes Wages for the laſt Seſſion of Aſſembly, except ſuch Members as have already been paid by their reſpective Counties.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, preſented to the Houſe, according to Order, a Bill For exempting the Inhabitants of *Elizabeth City* County on the Eaſt Side of *Hampton* River, and alſo the Miniſters and other Pariſhioners of *Suffolk* Pariſh, from the Payment of Ferriage, and for other Purpoſes therein mentioned; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* of *William Irvin*, praying to be allowed by the Publick for a Mare which was killed by carrying too great a Load of Corn, or Meal, for the Uſe of the Militia of 152
Bedford County, under the Command of Capt. *John Quarles*, and for which he hath received no Satiſfaction, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee, to take into their further Conſideration the Bill For amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms.

Reſolved, That this Houſe will again reſolve itſelf into the ſaid Committee To-morrow.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee, to take into their further Conſideration the Bill To prevent Perſons driving diſtempered Cattle from *North Carolina*, and other Places, into this Colony.

Reſolved, That this Houſe will again reſolve itſelf into the ſaid Committee To-morrow.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that the Committee had had under their Conſideration divers Propoſitions and Petitions from ſeveral Counties to them referred, and had come to ſeveral Reſolutions thereupon; 153
which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That the Petition of the Miniſters, Veſtries, and ſundry other Inhabitants of the ſeveral Pariſhes of *Elizabeth River*, *Portſmouth*, and *St. Bride's*, in the County of *Norfolk*, praying that certain Slaves deviſed by one *Matthew Godfrey* for the Benefit of the Poor of the ſaid County, may be divided between the three Pariſhes, and that a Tract of Land given by the ſaid *Godfrey* to the Poor of the ſaid County may be valued and veſted in the Pariſh of *Elizabeth River*, and a proportionable Part of the Valuation paid to each of the other Pariſhes, to be laid out in the Purchaſe of other Lands to be held for the ſame Purpoſes, is reaſonable.

Reſolved

Reſolved, That the Petition of ſundry Inhabitants of the County of *Lunenburg*, praying that People may be prohibited from building Mill Dams, or raiſing Hedges or Stops in the little River *Roanoke*, which prevent the Paſſage of Fiſh up the ſame, is reaſonable.

Reſolved, That the Petition of ſundry Inhabitants of the County of *Albemarle*, praying the like Prohibition againſt raiſing Obſtructions in the North Branch of *James* River, is reaſonable.

154 *Reſolved*, That the Petition of *John Dixon*, Clerk, praying that Part of his Land adjoining the Town of *Falmouth*, and contiguous to the Lots propoſed to be laid off out of Part of *King's* Street, may be added to and made Part of the ſaid Town, and that he may be allowed ſuch a Proportion of the Money ariſing from the Sale of the ſaid Lots as ſhall be thought reaſonable, be rejected.

Reſolved, That the Petition of the ſaid *John Dixon*, praying that a Ferry may be eſtabliſhed from his Land adjacent to *Falmouth* Wharf, to the Land of *Francis Thornton* in *Spotſylvania*, be rejected.

Reſolved, That the Petition of ſundry Inhabitants of the County of *Auguſta*, praying that a Road may be cleared through the Mountains at *Swift Run* Gap, and the Expenſe thereof levied on the Inhabitants of the ſaid County, is reaſonable.

Reſolved, That the Petition of ſundry Inhabitants of the County of *Buckingham*, praying that Truſtees may be appointed to take in Subſcriptions for clearing the great Falls of *James* River, is reaſonable.

Ordered, That the ſaid Committee do prepare and bring in a Bill, or Bills, purſuant to the 1ſt, 2d, 3d, 6th, and 7th Reſolutions.

And then the Houſe adjourned until To-morrow Morning 11 o'Clock.

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155 ## Wednesday, the 28th of November, 5 Geo. III. 1764.

A *Petition* of ſundry Inhabitants of the Counties of *Bedford* and *Amherſt*, and other frontier Counties, praying that a Ferry may be eſtabliſhed from the Land of *Nicholas Davis* over [*Fluvannah*] River to the oppoſite Shore, and that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Bill* For giving a greater Reward for killing Wolves was read a ſecond Time, and committed to Mr *James Mercer* and Mr *Richard Henry Lee*.

A *Petition* of *Alexander Sayers*, ſetting forth that in the Years 1760 and 1761, when the *Virginia* Regiment encamped on the *Dunkard Bottom*, they deſtroyed his Houſes, Barns, Fences, and cut down his Timber to build a Fort and Barracks; and praying that Reſtitution may be made him by the Publick, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame with their Opinion thereon, to the Houſe.

156 A *Petition* of *Hugh Mercer*, ſetting forth that in the Year 1762 he applied to this Houſe to be allowed for a Cheſt of Medicines, and ſundry other Medicines delivered in Doſes for the Uſe of the Smallpox and Regimental Hoſpital, amounting to £302. 0 8 Halfpenny: That his ſaid Petition was referred to the Committee of Claims, who were pleaſed to vote the ſaid Petition in Part unreaſonable, by a Deduction of 17 and a Half per Centum, amounting to £52. 10. 6, and ordered only the Balance after that Deduction to be paid him; and praying that a Reviſal of the Articles of the Accounts laid before the ſaid Committee may be made, and that he may be allowed the ſaid £52. 10. 6 by the Publick, which is juſtly due to him, was preſented to the Houſe and read; and the Queſtion being put that the ſaid Petition be referred to a Committee,

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

The

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee to take into their further Conſideration the Bill For amending an Act, entitled, *An Act*[1] *for amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and for preventing Frauds in his Majeſty's Cuſtoms.*

Reſolved, That this Houſe will again reſolve itſelf into the ſaid Committee on *Friday* next. 157

The Houſe, according to Order, reſolved itſelf into a Committee to take into their further Conſideration the Bill To prevent Perſons driving diſtempered Cattle from *North Carolina*, and other Places, into this Colony; and after ſome Time ſpent therein, Mr *Speaker*, reſumed the Chair, and Mr *Attorney* reported that the Committee had gone through the ſaid Bill, and had made ſeveral Amendments thereto; which he read in his Place, and then delivered in at the Table, where the ſaid Amendments were again twice read, and agreed to by the Houſe, with ſome Amendments.

Ordered, That the ſaid Bill, with the Amendments, as amended, be engroſſed, and read a third Time.

Mr *Cary*, from the Committee of Claims, reported that the Committee had had under their Conſideration ſeveral Petitions to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again read, and are as follow:

Reſolved, That it is the Opinion of this Committee that Capt. *John Smith* ought to be allowed by the Publick the Sum of £75, to reimburſe him the Pay advanced to *Thomas Langdon* his Lieutenant, who never was returned on the ſaid *Smith's* Roll, though in actual Service.

Reſolved, That it is the Opinion of this Committee that the Petition of Lieutenant *James Walker*, for an additional Allowance for enliſting and ſubſiſting Recruits for the Frontier Battalion, be rejected. 158

Reſolved, That it is the Opinion of this Committee that the Petition of *William Irvin*, for a Mare killed in the Service, be rejected, for Want of Proof.

Reſolved, That it is the Opinion of this Committee that the Petition of *Richard Dogget*, to be allowed for the Bounty Money and Subſiſtence of Recruits for the *Virginia* Regiment, be rejected; it appearing to this Committee that he enliſted the ſaid Recruits under an Agreement with Capt. *John Blagg* of the ſaid Regiment, without any Warrant or Orders from the Governor.

Reſolved, That it is the Opinion of this Committee that *Bryant Leſter* ought to be allowed by the Publick the Sum of £4 for his Gun and Bayonet, impreſſed for the Uſe of Capt. *John Cox* of the *Lunenburg* Militia.

Reſolved, That it is the Opinion of this Committee that the Sum of £4 ought to be levied on the Eſtate of the ſaid *John Cox*, deceaſed, to reimburſe the Publick.

The *firſt*, *ſecond*, *fourth*, and *fifth* Reſolutions, being read a ſecond Time, were agreed to by the Houſe.

The *third* Reſolution being alſo read a ſecond Time, was re-committed to the ſaid Committee. And 159

The *laſt* Reſolution being alſo twice read, was diſagreed to by the Houſe.

A *Bill* For amending and declaring the Law concerning the Eſcape of Debtors out of the Priſon Rules, and for other Purpoſes therein mentioned, was read a ſecond Time, and committed to a Committee of the whole Houſe.

Reſolved, That this Houſe will reſolve itſelf into the ſaid Committee To-morrow.

A *Bill* To dock the Entail of certain Lands whereof *John Gregg* is ſeized, and for ſettling other Lands and Slaves to be purchaſed in Lieu thereof to the ſame Uſes, was read a ſecond Time, and committed to Mr *Richard Henry Lee*, and the Members of *Prince William* and *Fairfax*.

A *Bill* To amend the Act for the better Government of Servants and Slaves was read a ſecond Time, and committed to the Committee of Propoſitions and Grievances.

And then the Houſe adjourned until To-morrow Morning 11 o'Clock.

Thurſday

[1] Hening, VII, p. 387.

Thurſday, the 29th of November, 5 Geo. III. 1764.

A *Petition* of *Joſeph Royle*, Printer, praying a Continuance of his former Salary, was preſented to the Houſe and read.

Reſolved, That the Sum of £375 per Annum be allowed to the ſaid *Joſeph*
160 *Royle*, Printer to continue to the End of the next Seſſion of Aſſembly as a full Conſideration for printing the Journal of the Houſe of Burgeſſes, printing the Laws of each Seſſion, and ſending as many Copies to the County Court Clerks as there are Juſtices in the Commiſſion in each reſpective County, and one other, which is to be half-bound, for the Uſe of the Court, and ten to the Clerk of the Court of Huſtings of the Borough of *Norfolk*, printing Inſpectors Notes and Books, Proclamations, and other publick Advertiſements.

Ordered, That the ſaid Reſolve be engroſſed, and that Mr *Attorney* do carry it up to the Council for their Concurrence.

A *Bill* To enable Tenants in Taille to make Leaſes of their Lands was read a ſecond Time, and committed to a Committee of the whole Houſe.

Reſolved, That this Houſe will reſolve itſelf into a Committee on the ſaid Bill on *Tueſday* next.

A *Claim* of *Francis Moor*, for Priſon Fees, and a Reward for taking up *Peter Paris*, a Deſerter.

Alſo a *Petition* of *John Mills*, praying to be allowed for 3 Horſes impreſſed into the Service for the *Shawaneſe* Expedition in the Year 1756, appraiſed to £12. 15.

161 *Alſo* a *Petition* of *John Berriffield*, praying to be allowed for two Horſes impreſſed into the ſaid Service, appraiſed to £9. 10, were ſeverally preſented to the Houſe and read.

Ordered, That the ſaid Claim and Petitions be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Petition* of *Richard Todd*, ſetting forth that he is ſeized in Fee Taille, under the Will of his Father *William Todd*, deceaſed, in 1268 Acres of Land in the County of *Orange*, and it will be greatly to the Benefit of his Family to dock the Entail thereof, whereby he may be able to ſell it, and to ſettle 460 Acres of Land in the County of *King* and *Queen*, of which he is ſeized in Fee Simple, with ſome Slaves to be annexed thereto, to the ſame Uſes; and praying that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Ordered, That a Bill be brought in agreeable to the Prayer of the ſaid Petition, and it is referred to Mr *Edmund Pendleton* to prepare and bring in the ſame.

Mr *Smith* preſented to the Houſe, according to Order, a Bill To veſt certain entailed
162 Lands whereof *William Cary* is ſeized in *Allen Jones* in Fee Simple, and for ſettling other Lands and Slaves to be purchaſed in Lieu thereof to the ſame Uſes; and the ſaid Bill was read the firſt Time, and Ordered to be read a ſecond Time.

A *Petition* of the Veſtry of the Pariſh of *St. Luke*, in the County of *Southampton*, ſetting forth that before the Diviſion of the Pariſh of *Nottoway*, in the ſaid County, by an Act made in the 4th Seſſion of this preſent Aſſembly the Veſtry of the ſaid Pariſh did in different Years levy ſeveral Quantities of Tobacco for repairing the Churches of the ſaid Pariſh; but no Repairs being ever made, there was a conſiderable Sum of Money due to the Pariſh before the Diviſion thereof: That the ſaid Act has made no Proviſion for the Petitioners, or directed how the ſaid Monies due to the ſaid Pariſh of *St. Luke* Diviſion ſhall be diſpoſed of; and praying that the ſaid Pariſh of *Nottoway* may be obliged to refund to the ſaid Pariſh of *St. Luke* their Proportion of the Money levied for the Repairs aforeſaid, and that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Petition* of *Henry DuVal Mauger*, praying to be allowed for his Services as a Mate or Aſſiſtant to Doctor *Robert Johnſton*, Surgeon to the laſt *Virginia* Regiment, was 163
preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof; and report the ſame, with their Opinion thereon, to the Houſe.

On a *Motion* made,

Ordered, That it be an Inſtruction to the Committee of Propoſitions and Grievances, to whom it is referred to bring in a Bill For altering the Court Day of the County of *Fauquier*, that they receive a Clauſe or Clauſes for altering the Court Day of the County of *Loudoun* to the 2d *Monday* in every Month, and the Court Day of the County of *Fairfax* to the 3d *Monday* in every Month.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill For amending and declaring the Law concerning the Eſcape of Debtors out of the Priſon Rules, and for other Prupoſes therein mentioned.

Reſolved, That this Houſe will reſolve itſelf into the ſaid Committee To-morrow.

A *Bill* For exempting the Inhabitants of *Elizabeth City* County, on the eaſt Side of *Hampton* River, and alſo the Miniſter and other Pariſhioners of *Suffolk* Pariſh, from the Payment of Ferriage, and for other Purpoſes therein mentioned, was read a ſecond Time, and committed to the Committee of Propoſitions and Grievances. 164

A *Bill* For eſtabliſhing the Landing Place from *Frafer's* Ferry at the Cauſey oppoſite thereto was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Bill* To oblige the Pariſh of *Cumberland* to refund to the Pariſh of *Antrim* their Proportion of the Money levied for building 4 Churches in the ſaid Pariſh before the Diviſion thereof was read the ſecond Time, and committed to the Committee of Propoſitions and Grievances.

Mr *Attorney*, from the Committee to whom the Bill To dock the Entail of Eighteen Hundred Acres of Land in the Pariſh of *Albemarle*, and County of *Suſſex*, whereof *Nathaniel Harriſon* the younger is ſeized in Fee Taille, and for veſting the ſame in Truſtees in Fee Simple for the Uſes therein mentioned, was committed, reported that they had examined into the Allegations thereof, and found them to be true, but had made no Amendments thereto.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

And then the Houſe adjourned until To-morrow Morning 11 o'Clock.

Friday, the 30th of November, 5 Geo. III. 1764. 165

A *Petition* of *John Phelps*, praying that *John Stephens*, *William Handy*, *Henry Haynes* and *Roſs Noble*, four Soldiers of his Company of Militia, may be allowed their Pay, they being omitted to be inſerted in his Pay Roll, and never received any Satiſfaction for their Services.

Alſo a *Petition* of *Suſannah Waſh*, ſetting forth that her Huſband *John Waſh* entered into the Service of this Country as a Volunteer in the Year 1763, and in an Action with the Enemy on *Jackſon's* River was killed, bravely fighting for his King and Country, and left the Petitioner in a diſtreſſed Condition; were ſeverally preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Bill* To veſt certain entailed Lands whereof *William Cary* is ſeized in *Allen Jones* in Fee Simple, and for ſettling other Lands and Slaves to be purchaſed in Lieu thereof to the ſame Uſes, was read a ſecond Time, and committed to Mr *Smith*, Mr *Cary*, Mr *John Fleming*, Mr *Joſeph Cabell*, and the Members of *Warwick*.

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An engroſſed *Bill*, entitled, *An Act*[1] *for eſtabliſhing the Landing Place from* Fraſer's *Ferry, at the Cauſey oppoſite thereto*, was read the third Time.

166 *Reſolved*, That the ſaid Bill do paſs.

Ordered, That Mr *Carter Braxton* do carry up the ſaid Bill to the Council for their Concurrence.

A *Petition* of divers Inhabitants of *Appomattox* River, praying that they may be allowed to ſet Hedges acroſs the ſaid River for the Benefit of catching Fiſh, and that all Owners of Mills may be obliged to keep a clear and open Paſſage through their Dams 3 Months in every Year, from the 10th Day of *March* to the 10th Day of *June*, for the Paſſage of Fiſh, and that an Act may paſs for that Purpoſe, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

An engroſſed *Bill*, entitled *An Act*[2] *for the Preſervation of the Breed of Cattle*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Cary* do carry it to the Council for their Concurrence.

On a *Motion* made,

Ordered, That it be an Inſtruction to the Committee of Propoſitions and Grievances,

167 to whom the Bill For exempting the Inhabitants of *Elizabeth City* County, on the Eaſt Side of *Hampton* River, and alſo the Miniſter and other Pariſhioners of *Suffolk* Pariſh, from the Payment of Ferriage, and for other Purpoſes therein mentioned, was committed to receive a Clauſe or Clauſes to exempt the Miniſter of the Pariſh of *Antrim*, in the County of *Halifax*, at all Times, and the other Inhabitants of the ſaid Pariſh on *Sundays*, from the Payment of Ferriage, and to empower the Veſtry of the ſaid Pariſh to levy the Expenſe thereof, in their Pariſh Levies.

Mr *Attorney*, from the Committee appointed, preſented to the Houſe, according to Order, an Addreſs and Repreſentation to his Majeſty, alſo a Memorial to the Right Honourable the Lords Spiritual and Temporal in Parliament aſſembled, and the Memorial to the Honourable the Houſe of Commons.

Ordered, That the ſaid Addreſs, Repreſentation, &c. be referred to a Committee of the whole Houſe.

Reſolved, That this Houſe will reſolve itſelf into a Committee on the ſame on *Tueſday* next.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, preſented to the Houſe, according to Order, a Bill For encouraging the Settlement of the Towns of *Alexandria* and *Falmouth*, and for other Purpoſes therein mentioned.

Alſo a *Bill* To empower *Henry Allen* to build a Bridge over the South Branch of

168 *Back* River, in the County of *Elizabeth City*, and for other Purpoſes therein mentioned; and the ſaid Bills were read the firſt Time, and ordered to be read a ſecond Time.

He alſo reported that the *Committee* had had under their Conſideration two Petitions to them referred, and had come to two Reſolutions thereupon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That the Petition of *Nicholas Davies*, and alſo the Petition of ſundry Inhabitants of the Counties of *Bedford* and *Amherſt*, praying that a Ferry may be eſtabliſhed over the *Fluvannah* from the ſaid *Davies's* Land, in the County of *Bedford*, at or near the Mouth of *Tuckaho* Creek, to his Land, near the *Mill Stone* Quarry, in the County of *Amherſt*, be rejected.

Reſolved, That the Petition of ſundry other Inhabitants of the upper Part of the County of *Amherſt*, praying that a Ferry may be eſtabliſhed acroſs the *Fluvannah*, from the Land of *Cornelius Thomas*, at or near the Mouth of his Mill Creek, on the north Side, to the oppoſite Land of *Nicholas Davies*, in the County of *Bedford*, is reaſonable.

Ordered

[1] Hening, VIII, p. 49. [2] Not in Hening.

Ordered, That the ſaid Committee do prepare and bring in a Bill purſuant to the laſt Reſolution.

On a *Motion* made,

The *Bill* To empower *Henry Allen* to build a Bridge over *Back* River, in the County 169
of *Elizabeth City*, and for other Purpoſes therein mentioned, was read a ſecond Time, and committed to the Committee of Propoſitions and Grievances.

Ordered, That the Petition in Oppoſition to that which the ſaid Bill is founded upon, and ordered to lie on the Table, be alſo referred to the ſaid Committee.

Mr *Cary*, from the Committee of Claims, reported that the Committee had had under their Conſideration the Petition of *Alexander Sayers* to them referred, alſo the Petition of *William Irvine* to them re-committed, and have come to two Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to, as follow:

Reſolved, That the Petition of the ſaid *Alexander Sayers* be rejected, it not appearing to this Committee that the Land on which the Damages alleged to be done by the *Virginia* Regiment was the Petitioner's, at the Time the Regiment encamped thereon.

Reſolved, That the ſaid *William Irvine* ought to be paid the Sum of £5 for the Mare in his Petition mentioned.

On a *Motion* made,

Ordered, That a Committee be appointed to aſcertain the Price of ſundry *Indian* Goods belonging to the Publick, purchaſed by M^r *Iſrael Chriſtian*, and it is referred to Mr *Edmund Pendleton*, Mr *Travis*, Mr *Walker*, Mr *Hartwell Cocke*, Mr *Walke*, and Mr *Lewis*, 170
to inſpect the ſame, and report their Opinion thereon to the Houſe.

A *Petition* of the Mayor, Recorder, Aldermen, Common Council, and other Inhabitants of the Borough of *Norfolk*, praying that an Act may be paſſed to empower the Court of Huſtings of the ſaid Borough to hold Plea of all Actions real, perſonal, and mixed, and to determine Suits in Chancery, Attachments, Servants, Complaints, and Breaches of the Peace, in the ſame Manner as the County Courts of this Colony are authorized and empowered to do, and that the Juriſdiction of the ſaid Court may be enlarged, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Claim* of *John Richard*, to be allowed by the Publick for furniſhing a Guard, conſiſting of 12 Men, to conduct the Vagrants draughted from the County of *King* and *Queen* to *Frederickſburg*, was preſented to the Houſe and received.

Ordered, That the ſaid Claim be referred to the Conſideration of the Committee of Claims: that they examine into the Allegations thereof and report the ſame, with their Opinion thereon, to the Houſe.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee to take under their further Conſideration the Bill For amending and further continuing 171
the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms.

Reſolved, That this Houſe will again reſolve itſelf into the ſaid Committee on *Tueſday* next.

A *Claim* of *Jacob Sowers*, for Proviſions, &c. furniſhed the Militia, amounting to £4. 14. 8, was preſented to the Houſe and received.

Ordered, That the ſaid Claim be referred to the Conſideration of the Committee of Claims; that they examined into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

And then the Houſe adjourned until To-morrow Morning 10 o'Clock.

Saturday

Saturday, the 1st of December. 5 Geo. III. 1764.

A *Petition* of *Thomas Walker*, ſetting forth that he was appointed a Commiſſary of Stores and Proviſions for this Colony in the Year 1755, and in that Capacity was ſued by *Thomas Creſap*, in the County Court of *Auguſta* for ſundry Charges which accrued during General *Braddock's* Campaign; and though he uſed every legal Method of Defence, he was condemned by a Jury's Verdict to pay the
172 Sum of £79. 5, and Coſts. That in the Courſe of the ſaid Service he was the Means of ſaving a conſiderable Sum of Money to the Colony, and as this was a Loſs ſuſtained in the ſame Service, he hoped he may be indemnified out of the Money ſo ſaved, was preſented to the Houſe and received.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Petition* of *Robert Aſhbey*, ſetting forth that *Nimrod Aſhbey* his Son was in the Year 1763 ſtationed on the Frontiers, with the Command of a Detachment of Militia, that in the Month of *April* 1764 the ſaid *Nimrod* received from the Treaſurer a conſiderable Sum of Money, as well for his own Pay as the Pay due to his Men; that on his Return back to the Fort where his Men were ſtationed, in Order to pay them the Money which was reſpectively due them, and to diſcharge ſome Debts which he had been under a Neceſſity of contracting there, he was ſurpriſed by a Party of *Indians*, who murdered him, and took from him £74, which Sum has been ſince paid out of his Eſtate for the Purpoſes aforeſaid; which, together with his ordinary Debts, hath reduced his whole Eſtate, and left two poor helpleſs Orphans deſtitute of Bread; and praying that this Honourable Houſe will take the ſame into their Conſideration, was preſented to the Houſe and read.

173 *Ordered*, That the ſaid Petition be referred to the Conſideration of the next Seſſion of Aſſembly.

And then the Houſe adjourned until Tueſday next.

Tuesday, the 4th of December. 5 Geo. III. 1764.

A *Member* being returned upon a new Writ, having taken the Oaths appointed by Act of Parliament to be taken inſtead of the Oaths of Allegiance and Supremacy, and taken and ſubſcribed the Oath of Abjuration, and alſo ſubſcribed the Teſt, was admitted to his Place in the Houſe.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee to take under their further Conſideration the Bill For amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms.

The Houſe immediately reſolved itſelf into the ſaid Committee; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the ſaid Committee had had the ſaid Bill under their Conſideration, but not having Time to go through the ſame, had ordered him to move for Leave to ſit again.

Reſolved, That this Houſe will again reſolve itſelf into the ſaid Committee To-morrow.

174 The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee to take into their Conſideration the Addreſs to his Majeſty, and the Memorials to the Lords and Commons.

Reſolved, That this Houſe will reſolve itſelf into the ſaid Committee on *Thurſday* next.

The

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill To enable Tenants in Taille to make Leaſes of their Lands.

Reſolved, That this Houſe will reſolve itſelf into a Committee on the ſaid Bill on *Thurſday* next.

Ordered, That Mr *Gawin Corbin*, and Mr *Richard Bland*, Jun. be added to the Committee of Propoſitions and Grievances.

And then the Houſe adjourned until To-morrow Morning 10 o'Clock.

Wednesday, the 5th of December, 5 Geo. III. 1764.

MR *Attorney*, from the Committee of Propoſitions and Grievances, preſented to the Houſe, according to Order, a Bill For giving further Time for the hearing Chancery Suits brought in the General Court of this Colony, and for other Purpoſes therein mentioned; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

Mr *John Pendleton* preſented to the Houſe, according to Order, a Bill To dock the Entail of certain Lands whereof *Richard Todd* is ſeized, and for ſettling other Lands and Slaves in Lieu thereof; and the ſaid Bill was read the firſt Time, and ordered to be read 175
a ſecond Time.

The Houſe, according to Order, reſolved itſelf into a Committee on the Bill For amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had had the ſaid Bill under their further Conſideration, and had made ſome Amendments thereto, but not having Time to go through the ſame, they had directed him to move for Leave to ſit again.

Reſolved, That this Houſe will again reſolve itſelf into the ſaid Committee To-morrow.

The *Order*, of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill For amending and declaring the Law concerning the Eſcape of Debtors out of the Priſon Rules, and for other Purpoſes therein mentioned.

Reſolved, That this Houſe will reſolve itſelf into the ſaid Committee To-morrow.

And then the Houſe adjourned until To-morrow Morning 10 o'Clock.

Thursday, the 6th of December, 5 Geo. III. 1764.

ORDERED, That Mr *Archibald Cary*, Mr *Richard Lee*, and Mr *Tabb*, do go to the Publick Gaol of this City, and examine into the Defects and Decays, and what 176
neceſſary Repairs ought to be made thereto and that they report them to the Houſe.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that the Committee had had under their Conſideration two Petitions to them referred, and had come to two Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That the Petition of ſundry Inhabitants of the Pariſh of *St. Luke*, in the County of *Southampton*, praying to be reimburſed by the Pariſh of *Nottoway* their Proportion of the Money raiſed for repairing Churches in the ſaid Pariſh before the Diviſion thereof, but which was not ſo applied, is reaſonable.

Reſolved, That the Petition of the Mayor, Recorder, Aldermen, and Common Council, of the Borough of *Norfolk*, praying that the Juriſdiction of their Court of Huſtings may be enlarged, is reaſonable.

Ordered

Ordered, That the ſaid Committee do prepare and bring in a Bill or Bills, purſuant to the ſaid Reſolutions.

A *Meſſage* from the Council was delivered by Mr *Walthoe*.

That they have agreed to the Bill, *entitled*, An Act[1] for eſtabliſhing the Landing Place from *Fraſer's* Ferry at the Cauſey oppoſite thereto.

177 He alſo delivered a Petition of Mr *Aaron Miller*, addreſſed to the Governour and Council, and by them recommended to this Houſe, ſetting forth that he had at great Trouble and Expenſe invented a new Compaſs and Protractor, by which an Angle may be meaſured both in ſurveying and plotting with greater Accuracy than by any other Inſtrument hitherto diſcovered, and praying ſuch a Bounty as the Legiſlature may think he deſerves; and the ſaid Petition was read.

Ordered, That the ſaid Petition be referred to the Conſideration of Mr *Richard Bland*, Mr *Richard Henry Lee*, Mr *Wythe*, Mr *Cary*, and Mr *Mercer;* that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon to the Houſe.

Mr *Edmund Pendleton* preſented to the Houſe, according to Order, a Bill To veſt certain Lands therein mentioned in *John Syme*, Eſq; and others, in Fee Simple, and for ſettling other Lands and Slaves in Lieu thereof, and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Cary*, from the Committee to whom the Bill To veſt certain entailed Lands whereof *William Cary* is ſeized in *Allen Jones* in Fee Simple, and for ſettling other Lands and Slaves to be purchaſed in Lieu thereof to the ſame Uſes, was committed, reported
178 that the Committee had examined into the Allegations thereof and found them to be true, but had made no Amendments thereto; and he delivered the ſaid Bill in at the Table.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, to whom the Bill To oblige the Pariſh of *Cumberland* to refund to the Pariſh of *Antrim* their Proportion of the Money levied for building four Churches in the ſaid Pariſh before the Diviſion thereof, was committed reported that the Committee had examined into the Allegations thereof, and found them to be true, but had made no Amendments thereto; and he delivered the Bill in at the Table. And the Queſtion being put that the ſaid Bill be engroſſed, and read a third Time,

It paſſed in the Negative.

Reſolved, That the ſaid Bill be rejected.

He alſo reported from the ſaid Committee, to whom the Bill To empower *Henry Allen* to build a Bridge over the ſouth Branch of *Back* River, in the County of *Elizabeth City*, and for other Purpoſes therein mentioned, was committed, that they had examined into the Allegations thereof, and found them to be true, but had made no Amendments thereto; and he delivered the ſaid Bill in at the Table. And the Queſtion being put
179 that the ſaid Bill be engroſſed, and read a third Time,

It paſſed in the Negative.

Reſolved, That the ſaid Bill be rejected.

He alſo reported from the ſaid *Committee*, to whom the Bill For exempting the Inhabitants of *Elizabeth City* County on the eaſt Side of *Hampton* River, and alſo the Miniſter and other Pariſhioners of *Suffolk* Pariſh, from the Payment of Ferriage, and for other Purpoſes therein mentioned, was committed, that the ſaid Committee had made ſeveral Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill, with the Amendments, be engroſſed, and read a Third Time.

He alſo, from the ſaid *Committee*, preſented to the Houſe, according to Order, a Bill For opening and clearing a Road through *Swift Run* Gap over the Mountains, in *Auguſta*.

Alſo

[1] Hening, VIII, p. 49.

Alſo a *Bill* For altering the Court Day of *Fauquier*, *Loudoun*, and *Fairfax* Counties.

Alſo a *Bill* For appointing ſeveral new Ferries, and for other Purpoſes therein mentioned.

Alſo a *Bill* For making an equal Diviſion of a Donation of one *Matthew Godfrey* between the ſeveral Pariſhes in the County of *Norfolk*, for the Benefit of their Poor; and the ſaid Bills were ſeverally read the firſt Time, and ordered to be read a ſecond Time. 180

On a *Motion* made,

Ordered, That it be an Inſtruction to the Committee of Claims to allow *John Gale* in the Book of Claims the Sum of £10 towards his preſent Relief.

Reſolved, That the Sum of £5 per Annum be allowed to the ſaid *Gale* during his Life, in Conſideration of the Wounds he received in the Service of this Colony.

Ordered, That Mr *Cary* do carry the ſaid Reſolve to the Council for their Concurrence.

Mr *Cary*, from the Committee of Claims, reported that the ſaid Committee had had under their Conſideration ſeveral Petitions to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, with an Amendment, as follow:

Reſolved, That *Henry Darnell* ought to be allowed by the Publick the Sum of £37. 14 for the Bounty Money, enliſting, and ſubſiſting the Recruits in his Petition mentioned.

Reſolved, That *Suſannah Waſh*, Widow of *John Waſh*, a Soldier who was killed in the Service of this Colony, ought to be allowed the Sum of £30 by the Publick for her Relief.

Reſolved, That the Petition of *John Barriſfield* and *John Mills*, to be paid for Horſes 181 for the *Shawaneſe* Expedition, be rejected; it appearing to this Committee that their Claims in their reſpective Petitions were conſidered, and rejected, at a former Seſſion of Aſſembly.

Reſolved, That the Petition of *William Harriſon* and *William Wren*, Inſpectors at *Gibſon's* Warehouſe, to be paid for Tobacco ſtolen out of the ſaid Warehouſe, be rejected; it not appearing to this Committee that the ſaid Warehouſe was ſufficiently ſecured at the Time the ſaid Tobacco was ſtolen.

The Houſe, according to Order, reſolved itſelf into a Committee on the Bill For amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that they had had the ſame under their further Conſideration, and had made ſeveral Amendments thereto, but not having Time to go through the ſame, they had directed him to move for Leave to ſit again.

Reſolved, That this Houſe will again reſolve itſelf into the ſaid Committee To-morrow.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill To enable Tenants in Taille to make Leaſes of their Lands. 182

Reſolved, That this Houſe will reſolve itſelf into a Committee on the ſaid Bill To-morrow.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee to take into their Conſideration the Addreſs to his Majeſty, and the Memorial to the Lords and Commons.

Reſolved, That this Houſe will reſolve itſelf into the ſaid Committee To-morrow.

And then the Houſe adjourned until To-morrow Morning 10 o'Clock.

Friday, the 7th of December, 5 Geo. III. 1764.

A *Member* returned on a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, inſtead of the Oaths of Allegiance and Supremacy, and taken and ſubſcribed the Oath of Abjuration, and alſo ſubſcribed the Teſt, was admitted to his Place in the Houſe.

A *Bill* For encouraging the Settlement of the Towns of *Alexandria* and *Falmouth*, and for other Purpoſes therein mentioned, was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

Mr

Mr *Cary*, from the Committee of Publick Claims, reported that the Committee had
183 examined and conſidered all the publick Claims which had been laid before them this Seſſion, and had agreed upon a Report, which he had entered in a Book, and he delivered the Book in at the Table.

Ordered, That the ſaid Report do lie on the Table.

A *Bill* For altering the Court Days of the Counties of *Fauquier*, *Loudoun* and *Fairfax* was read a ſecond Time, and committed to the Committee of Propoſitions and Grievances; who are to receive a Clauſe, or Clauſes, for altering the Court Day of the County of *Louiſa*.

Nine *Petitions* from divers Inhabitants of the Pariſh of *St. George*, in the County of *Spotſylvania*, in Oppoſition to a Petition preſented to this Houſe the 6th of laſt Month for a Diviſion of the ſaid Pariſh, and praying that the ſame may be rejected, was preſented to the Houſe and read.

Ordered, That the ſaid Petitions be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Petition* of Mr *Peterfield Trent*, complaining of an undue Election and Return of Mr *Henry Fry* to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Albemarle*, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee
184 of Privileges and Elections; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

The *Order* of the Day being read, the Houſe again reſolved itſelf into a Committee on the Bill For amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms, and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had had the ſaid Bill under their further Conſideration, but not having Time to go through the ſame, they had directed him to move for Leave to ſit again.

Reſolved, That this Houſe will again reſolve itſelf into the ſaid Committee Tomorrow.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee to take into their Conſideration the Addreſs to his Majeſty, and the Memorials to the Lords and Commons.

Reſolved, That this Houſe will reſolve itſelf into the ſaid Committee on *Monday* next.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill To enable Tenants in Taille to make Leaſes of their Lands.

Reſolved, That this Houſe will reſolve itſelf into the ſaid Committee on *Monday* next.

185 The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill For amending and declaring the Law concerning the Eſcape of Debtors out of the Priſon Rules, and for other Purpoſes therein mentioned.

Reſolved, That this Houſe will reſolve itſelf into the ſaid Committee on *Monday* next.

And then the Houſe adjourned until To-morrow Morning 10 o'Clock.

Saturday, the 8th of December. 5 Geo. III. 1764.

THE Houſe being informed that Mr *Leonard Claiborne*, a Member of this Houſe, againſt whom a Decree of the General Court hath been obtained for the Recovery of ſeveral Slaves, is about to remove himſelf and the ſaid Slaves out of this Colony, while under the Protection of his Privilege, no Execution on the ſaid Decree can be ſerved on him to prevent ſuch Removal.

Ordered, That the ſaid Information be referred to the Conſideration of the Committee of Privileges and Elections; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Bill* To veſt certain Lands therein mentioned in *John Syme*, Eſquire, and others, in Fee Simple, and for ſettling other Lands and Slaves in Lieu thereof, was read a ſecond Time, and committed to Mr *Edmund Pendleton*, Mr *Littlepage*, and Mr *Fry*, and the 186
Members of *Fairfax* and *Louiſa*.

A *Bill* To dock the Entail of certain Lands whereof *Richard Todd* is ſeized, and for ſettling other Lands and Slaves in Lieu thereof, was read a ſecond Time, and committed to Mr *John Pendleton*, and the Members of *Orange*, *Albemarle*, and *Culpeper*.

Ordered, That the Committee of Propoſitions and Grievances be diſcharged from proceeding further on the Petition from the Pariſh of *Saint George* to them referred.

A *Bill* For clearing a Road through *Swift Run* Gap over the Mountains was read a ſecond Time, and committed to the Committee of Propoſitions and Grievances.

The Houſe proceeded to the Conſideration of the Report from the Committee of Claims reported Yeſterday, and Part thereof was read and agreed to.

Ordered, That the further Conſideration of the ſaid Report be put off until *Monday* next.

Mr *Bland*, from the Committee of Privileges and Elections, reported that the Committee had had under their Conſideration the Petition of Mr *Peterfield Trent*, complaining of an undue Election and Return of Mr *Henry Fry* to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Albemarle*, to them referred, and had come to ſeveral Reſolutions thereupon; which he read in his Place; and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe. 187

Reſolved, That the Petitioner and ſitting Member be at Liberty to examine and take the Depoſitions of Witneſſes touching the Allegations of the ſaid Petition, before *Arthur Hopkins*, *Matthew Jordan*, *John Henderſon*, and *Nicholas Meriwether*, of the ſaid County of *Albemarle*, Gentlemen, or any three of them, and that the ſaid Commiſſioners do return the Depoſitions ſo to be taken to the next Seſſion of Aſſembly.

Reſolved, That the Petitioner do, at leaſt ten Days before the Day to be appointed by the ſaid Commiſſioners for taking the Depoſitions of Witneſſes as aforeſaid, give to the ſitting Member Notice in Writing of any illegal Proceedings of the Sheriff of the ſaid County at or concerning the ſaid Election, or of any illegal treating of the Freeholders of the ſaid County, about which he intends to examine Witneſſes before the ſaid Commiſſioners.

Reſolved, That the further Conſideration of the ſaid Petition be referred to the next Seſſion of Aſſembly.

He alſo reported that the *Committee* had had under their Conſideration an Information to them referred againſt Mr *Leonard Claiborne*, a Member of this Houſe, againſt whom a Decree of the General Court hath been obtained for the Recovery of ſeveral Slaves, that he is about to remove the ſaid Slaves out of this Colony, and intends to prevent any Execution of the ſaid Decree, under the Protection of his Privilege as a 188
Member of this Houſe, and had agreed upon a Report, and come to a Reſolution thereon; which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to with ſome Amendments.

It appears to your *Committee* that the Allegations of the ſaid Information are true.

Reſolved, That the Plaintiffs in the ſaid Suit ought to be at Liberty to ſerve an Execution of the ſaid Decree upon the ſaid *Leonard Claiborne*, notwithſtanding his Privilege as a Member of this Houſe.

The *Order* of the Day being read, the Houſe again reſolved itſelf into a Committee on the Bill For amending an Act entitiled *An Act*[1] *for amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms;* and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had had the ſaid Bill under their further Conſideration, but not having Time to go through the ſame they had directed him to move for Leave to ſit again.

Reſolved, That this Houſe will again reſolve itſelf into the ſaid Committee on *Monday* next.

And then the Houſe adjourned until Monday Morning 10 o'Clock.

Monday

[1] Hening, VII, p. 387.

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Monday, the 10th of December, 5 Geo. III. 1764.

MR *Attorney* preſented to the Houſe, according to Order, a Bill For amending the Act entitled *An Act*[1] *directing the Trial of Slaves committing capital Crimes, and for the more effectual puniſhing Conſpiracies and Inſurrections of them, and for the better Government of Negroes, Mulattoes, and* Indians, *bond or free;* and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To veſt certain entailed Lands in *Robert Lewis*, Gentleman, in Fee Simple, and for purchaſing more convenient Lands to be ſettled in Lieu thereof; and it is referred to Mr *Edmund Pendleton* to prepare and bring in the ſame.

The Houſe, according to Order, reſolved itſelf into a Committee on the Bill For amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that they had had the ſame under their further Conſideration, and had made ſeveral Amendments thereto, but not having Time to go through the ſame, they had directed him to move for Leave to ſit again.

190 *Reſolved*, That this Houſe will again reſolve itſelf intothe ſaid Committee To-morrow.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee to take into their Conſideration the Addreſs to his Majeſty and the Memorials to the Lords and Commons.

Reſolved, That this Houſe will reſolve itſelf into the ſaid Committee To-morrow.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill To enable Tenants in Taille to make Leaſes of their Lands,

Reſolved, That this Houſe will reſolve itſelf into the ſaid Committee To-morrow.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill For amending and declaring the Law concerning the Eſcape of Debtors out of Priſon Rules, and for other Purpoſes therein mentioned,

Reſolved, That this Houſe will reſolve itſelf into the ſaid Committee To-morrow.

A *Meſſage* from the Governour by Mr *Walthoe*.

That his Honour had juſt received from Colonel Bouquet *a Letter, including the ſeveral Conferences between him and the* Indians, *together with the Terms of Peace, which he had directed him to deliver to this Houſe.*

191 *Ordered*, That the ſaid Letter and Papers do lie on the Table.

And then the Houſe adjourned until To-morrow Morning 10 o'Clock.

Tuesday, the 11th of December, 5 Geo. III. 1764.

A *Member* returned on a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, inſtead of the Oaths of Allegiance and Supremacy, and taken and ſubſcribed the Oath of Abjuration, and alſo ſubſcribed the Teſt, was admitted to his Place in the Houſe.

Mr *Richard Henry Lee* preſented to the Houſe, according to Order, a Bill For the Preſervation of Sheep.

Alſo a *Bill* To prevent the Practice of ſelling Perſons for Slaves that are not ſo; and the ſaid Bills were ſeverally read the firſt Time, and ordered to be read a ſecond Time.

A *Meſſage* from the Council by Mr *Walthoe*.

That

[1] Hening, VI, p. 104.

That they have agreed to the Bill *entitled*, An Act[1] for further continuing an Act for reducing the ſeveral Acts for making Proviſion againſt Invaſions and Inſurrections into one Act.

Alſo to the Bill *entitled* An Act[2] for further continuing an Act entitled An Act for reducing the ſeveral Acts made for laying a Duty on Liquors into one Act, *without any Amendments.*

And that they have agreed to the Bill *entitled* An Act[3] for the Preſervation of the Breed 192
of Cattle in this Colony, *with ſome Amendments, to which they deſire the Concurrence of this Houſe.*

The Houſe immediately proceeded to the Conſideration of the ſaid Amendments; and the ſame being read, were agreed to.

Ordered, That Mr *Richard Henry Lee* do go up to the Council, and acquaint them therewith.

Mr *Bland* preſented to the Houſe, according to Order, a Bill For the Relief of Pariſhes from ſuch Charges as may ariſe from baſtard Children born within the ſame; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Landon Carter*, from the Committee to whom the Bill For veſting the abſolute Property of certain Slaves therein named in *George Heal*, Gentleman, and for ſettling three certain Tracts of Land therein mentioned on the ſaid *George Heal* in Lieu of the ſaid Slaves, was committed, reported that the ſaid Committee had examined into the Allegations thereof, and found them to be true, and had made ſome Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where they were again twice read, and agreed to by the Houſe.

Ordered That the ſaid Bill, with the Amendments, be engroſſed, and read a third 193
Time.

Mr *Edmund Pendleton*, from the Committee to whom the Bill To dock the Entail of certain Lands whereof *Richard Todd* is ſeized, and for ſettling other Lands and Slaves in Lieu thereof, was committed, reported that the ſaid Committee had examined into the Allegations thereof, and found them to be true, and had made ſome Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where they were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill, with the Amendments, be engroſſed, and read a third Time.

Mr *Bland*, from the Committee of Privileges and Elections, reported that the ſaid Committee had had under their Conſideration the Returns of the ſeveral Writs for electing Burgeſſes to ſerve in this preſent General Aſſembly for the Counties of *King George*, *Cumberland*, *Middleſex*, and *Albemarle*, to them referred, and had agreed upon a Report, and come to two Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That the Returns of the Writs for electing Burgeſſes for the Counties of 194
Cumberland and *Middleſex* are made in the Form preſcribed by Law.

Reſolved, That the Returns of the Writs for electing Burgeſſes for the Counties of *King George* and *Albemarle* are not made in the Form preſcribed by Law.

Ordered, That the Return of the Writs mentioned in the laſt Reſolution be amended by the Clerk at the Table.

A *Petition* of Mr *Hampton Wade*, complaining of an undue Election and Return of Mr *Edward Booker* to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Halifax*, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Privileges and Elections; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Mr

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[1] Hening, VIII, p. 37. [2] *Ibid.*, VIII, p. 38. [3] Not in Hening.

Mr *Cary*, from the Committee of Claims, reported that the Committee had had under their Conſideration the Petitions of *Thomas Walker* and *Henry DuVal Mauger* to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That the ſaid *Thomas Walker* ought to be paid by the Publick the Sum of £87. 10. 6, to reimburſe him the Judgment and Coſts in his Petition mentioned.

Reſolved, That the Petition of *Henry DuVal Mauger* be rejected, it appearing to this Committee that Doctor *Robert Johnſon* hath already received Pay for the Service in the ſaid Petition mentioned.

195 Mr *Pendleton* preſented to the Houſe, according to Order, a Bill To veſt certain entailed Lands in *Robert Lewis*, Gentleman, in Fee Simple, and for purchaſing more convenient Lands to be ſettled in Lieu thereof; which was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Henry Lee*, from the Committee to whom the Bill To dock the Entail of certain Lands whereof *John Gregg* is ſeized, and for ſettling other Lands and Slaves to be purchaſed in Lieu thereof to the ſame Uſes, was committed, reported that the ſaid Committee had examined into the Allegations thereof, and found them to be true, and had made ſome Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where they were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill, with the Amendments, be engroſſed, and read a third Time.

Mr *Edmund Pendleton*, to whom the Bill To veſt certain entailed Lands therein mentioned in *John Syme*, Eſq; and others, in Fee Simple, and for ſettling other Lands and Slaves in Lieu thereof, was committed, reported that the ſaid Committee had examined into the Allegations thereof, and found them to be true, and had made ſome Amendments thereto; which he read in his Place, and then delivered the Bill with the
196 Amendments in at the Table, where they were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill, with the Amendments, be engroſſed, and read a third Time.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill For amending and declaring the Law concerning the Eſcape of Debtors out of the Priſon Rules, and for other Purpoſes therein mentioned.

Reſolved, That this Houſe will reſolve itſelf into the ſaid Committee To-morrow.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill To enable Tenants in Taille to make Leaſes of their Lands.

Reſolved, That this Houſe will reſolve itſelf into the ſaid Committee To-morrow.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee to take into their Conſideration the Addreſs to his Majeſty, and the Memorials to the Lords and Commons.

Reſolved, That this Houſe will again reſolve itſelf into the ſaid Committee To-morrow.

On a *Motion* made,

Ordered, That Colonel *Bouquet's* Letter to his Honour the Governour, and the Treaties made with the *Indians*, which were Yeſterday ordered to lie on the Table, be read; and the ſame were read accordingly.

197 *Reſolved*, That an Addreſs be made to his Honour the Governour, humbly to acquaint him that as this Houſe is of Opinion the Militia may be now ſafely diſbanded, he would be pleaſed to iſſue out Orders for that Purpoſe; and that Mr *Archibald Cary*, Mr *John Fleming*, and Mr *Philip Johnſon*, do wait on his Honour with the ſaid Addreſs.

Reſolved, That an humble Addreſs be made to the Governour, intreating his Honour that he will be pleaſed to recommend Colonel *Bouquet* to his Majeſty's Favour, for the Spirit, Activity, and Zeal, with which he has reduced the *Indians* to Terms of

Peace

Peace, and compelled them to deliver up many of his Majeſty's Subjects made Captives by thoſe Savages; and that Mr *Bland*, and Mr *Richard Henry Lee*, do wait on his Honour with the ſaid Addreſs.

The Houſe proceeded to the Conſideration of the Book of Claims; and Part thereof was read, and agreed to.

And then the Houſe adjourned until To-morrow Morning 10 o'Clock.

Wednesday, the 12th of December, 5 Geo. III. 1764.

MR *Attorney*, from the Committee of Propoſitions and Grievances, to whom the Bill For altering the Court Day of the County of *Fauquier* was committed, reported that the Committee had made ſeveral Amendments thereto; which 198
he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

A *Bill* For appointing ſeveral new Ferries, and for other Purpoſes therein mentioned, was read a ſecond Time, and committed to the Committee of Propoſitions and Grievances. And

On a *Motion* made,

Ordered, That it be an Inſtruction to the ſaid Committee to receive a Clauſe, or Clauſes, to eſtabliſh a Ferry from the Land of *William Black*, on the ſouth Side of *Roanoke* River, in *Lunenburg* County, to an Acre of Land purchaſed by him of one *Brookes*, on the oppoſite Side thereof.

Mr *Bland*, from the Committee of Privileges and Elections, reported that the Committee had had under their Conſideration the Petition of *Bertrand Ewell*, praying to be heard on an Information exhibited againſt him to this Houſe at a former Seſſion of Aſſembly, for claiming an Allowance to be made him for certain Slaves employed by him in Iron Works in the County of *Prince William*, which it is charged in the Information were not ſo employed; and having heard the ſaid Petitioner, and the Depoſitions 199
of ſeveral Witneſſes, produced by him to the Committee, had come to a Reſolution thereon; which he read in his Place, and then delivered in at the Table; where it was again twice read, and agreed to by the Houſe, as follows:

Reſolved, That it does not appear to them that the ſaid *Bertrand Ewell* had any unjuſt Intention in making the Demand on the Publick for the Tobacco mentioned in the ſaid Information, and therefore he ought to be diſcharged out of Cuſtody, without paying Fees.

He alſo reported that the ſaid *Committee* had had under their Conſideration the Petition of Mr *Hampton Wade*, complaining of an undue Election and Return of Mr *Edward Booker*, to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Halifax*, to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to, as follow:

Reſolved, That the Perſons who voted at the ſaid Election whoſe Freeholds are queſtioned, either by the Petitioner or ſitting Member, be examined upon Oath before *Nathaniel Terry*, *Archibald Gordon*, *Hugh Innes*, and *John Coleman*, of the ſaid County of *Halifax*, Gentlemen, or any three of them, whether they be Freeholders or not, except 200
ſuch of them as did ſwear to their Freeholders at the Election.

Reſolved, That the Petitioner and ſitting Member be at Liberty to examine Witneſſes before the ſaid Perſons as to the Freeholds, or other Qualifications, of any Perſon who voted at the ſaid Election, although ſuch Perſons ſwore to their Freeholds at ſuch Election, or ſhall ſwear to the ſame at the Examination; and that it be an Inſtruction to the Perſons before whom ſuch Examinations are to be taken to examine how long ſuch Voters have been in Poſſeſſion of, and paid Quitrents for, the Lands or Tenements

in

in right of which they voted at the Election, and that they return the Depoſitions they ſhall take to the next Seſſion of Aſſembly.

Reſolved, That the Petitioner give to the ſitting Member ten Days Notice at leaſt of the Time and Place when and where he intends to examine his Witneſſes, alſo a Liſt in Writing of the Names of the Voters he intends to except to, diſtinguiſhing againſt each Name the ſeveral Heads of Exception; and that the ſitting Member do the like to the Petitioner.

Reſolved, That as well the Petitioner as the ſitting Member be at Liberty to exaimne Witneſſes before the ſame Perſons, as to the ſitting Member's promiſing or engaging to
201 give a Sum of Money to one *William Wright*, one of the Poll Takers at the ſaid Election, named in the ſaid Petition, or of any Partiality or ill Conduct of the ſaid *William Wright* on that Occaſion, either in refuſing or omitting to enter the Name of any Freeholder who offered to vote at the ſaid Election for either of the Candidates, or in any other Inſtance whatſoever.

Reſolved, That the further Conſideration of the ſaid Petition ought to be referred to the next Seſſion of Aſſembly.

Mr *Mercer* reported that the Committee to whom the Bill For giving a greater Reward for killing Wolves was committed, had made ſeveral Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to, with ſome Amendments.

Ordered, That the ſaid Bill with the Amendments, as amended, be engroſſed, and read a third Time.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill For amending itſelf into a Committee on the Bill For amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms.

Reſolved, That this Houſe will again reſolve itſelf into the ſaid Committee on *Friday* next.

202 The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee to take into their Conſideration the Addreſs to his Majeſty, and the Memorials to the Lords and Commons.

Reſolved, That this Houſe will again reſolve itſelf into the ſaid Committee To-morrow.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill For amending and declaring the Law concerning the Eſcape of Debtors out of the Priſon Rules, and for other Purpoſes therein mentioned.

Reſolved, That this Houſe will reſolve itſelf into the ſaid Committee To-morrow.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill To enable Tenants in Taille to make Leaſes of their Lands.

Reſolved, That this Houſe will reſolve itſelf into the ſaid Committee To-morrow.

Mr *Cary* reported that the Gentlemen appointed had waited on his Honour the Governour with the Addreſs of this Houſe of Yeſterday, to which his Honour anſwered *He was pleaſed we had communicated our Opinion to him; that he thought as we did that the Militia might now be ſafely diſbanded, and he would give immediate Orders for that Purpoſe.*

On a *Motion* made,

203 *Ordered*, That Leave be given to bring in a Bill To dock the Entail of a Tract of Land in the County of *York* whereof *Robert Booth Armiſtead* is ſeized in Fee Taille, and to veſt the ſame in Truſtees in Fee Simple for the Uſes therein mentioned, and it is referred to Mr *Attorney* to prepare and bring in the ſame.

A *Bill* To veſt certain entailed Lands in *Robert Lewis* Gentleman, in Fee Simple, and for purchaſing more convenient Lands to be ſettled in Lieu thereof, was read a ſecond Time, and committed to Mr *Edmund Pendleton*, and the Members for *Hanover* and *New Kent* Counties.

And then the Houſe adjourned until To-morrow Morning 10 o'Clock.

Thurſday

Thurſday, the 13th of December, 5 Geo. III. 1764.

AN engroſſed *Bill* entitled *An Act*[1] *for encouraging the Settlement of the Towns of* Alexandria *and* Falmouth, *and for other Purpoſes therein mentioned*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That M^r *Weſt* do carry it up to the Council for their Concurrence.

An engroſſed *Bill* entitled *An Act*[2] *for altering the Court Days of the Counties of* Fauquier, Loudoun, Louiſa, *and* Fairfax, was read the third Time, and the Blanks therein filled up.

Reſolved, That the Bill do paſs.

Ordered, That M^r *Weſt* do carry it up to the Council for their Concurrence.

An engroſſed *Bill* entitled *An Act*[3] *to veſt certain Lands therein mentioned in* John Syme *Eſq; and others, in Fee Simple, and for ſettling other Lands and Slaves in Lieu thereof*, was read the third Time. 204

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Edmund Pendleton* do carry it up to the Council for their Concurrence.

Mr *Pendleton*, from the Committee to whom the Bill To veſt certain entailed Lands in *Robert Lewis*, Gentleman, in Fee Simple, and for purchaſing more convenient Lands to be ſettled in Lieu thereof, was committed, reported that they had examined into the Allegations thereof, and found them to be true, but had made no Amendments thereto.

Ordered, That the ſaid Bill be engroſſed, and read a Third Time.

On a *Motion* made,

Reſolved, That an Addreſs be made to his Honour the Governour to deſire that he would be pleaſed to inform this Houſe at what Time it was he firſt gave his Orders to Col. *Stephen* to encourage Volunteers to enliſt and enter into the Expedition under the Command of Col. *Bouquet*, and that Mr *Attorney* do wait on him with the ſaid Addreſs.

Mr *Bland* reported that he had waited on his Honour the Governour with the Addreſs of this Houſe of *Tueſday* laſt, deſiring that he would be pleaſed to recommend Col. *Bouquet* to his Majeſty's Favour; to which his Honour anſwered *That he was extremely pleaſed with the Addreſs of this Houſe, as in his own Opinion Col.* Bouquet *merited their particular Notice, and that he would comply with the Deſire of this Houſe by recommending Col.* Bouquet *to his Majeſty's Favour.* 205

On a *Motion* made,

Reſolved, That an humble Addreſs be preſented to his Honour the Governour to acquaint him that this Houſe cannot think themſelves under any Obligation to provide for the Pay of the Volunteers who joined Col. *Bouquet* from this Colony, or even juſtifiable in ſo doing, as no Application had been made to, or any Directions given by them, for the enliſting ſuch Volunteers; but as they enliſted in Conſideration of the Pay and Encouragement offered them by Col. *Bouquet*, they ought to apply to him for the Performance of his Engagements to them, with which we have not the leaſt Doubt of his ready Compliance; and that Mr *Edmund Pendleton* and Mr *Richard Henry Lee* do wait on his Honour with the ſaid Addreſs.

An engroſſed *Bill* entitled *An Act*[4] *to dock the Entail of 1800 Acres of Land in the Pariſh of* Albemarle, *and County of* Suſſex, *whereof* Nathaniel Harriſon *the Younger is ſeized in Fee Taille, and for veſting the ſame in Truſtees in Fee Simple for the Uſes therein mentioned*, was read the third Time, and the Blanks therein filled up. 206

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry it up to the Council for their Concurrence.

Mr *Henry Lee* preſented to the Houſe, according to Order, a Bill For paying the Burgeſſes

[1] Hening, VIII, p. 49. [2] *Ibid.*, VIII, p. 47. [3] *Ibid.*, VIII, p. 54. [4] *Ibid.*, VIII, p. 66.

Burgeſſes Wages for this preſent Seſſion of Aſſembly in Money; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

On a *Motion* made,

Ordered, That the Treaſurer of this Colony lay his Accounts before the Houſe.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill To enable Tenants in Taille to make Leaſes of their Lands.

Reſolved, That this Houſe will reſolve itſelf into a Committee on the ſaid Bill To-morrow.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill For amending and declaring the Law concerning the Eſcape of Debtors out of the Priſon Rules, and for other Purpoſes therein mentioned.

Reſolved, That this Houſe will reſolve itſelf into a Committee on the ſaid Bill To-morrow.

207 The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee to take into their Conſideration the Addreſs to his Majeſty, and the Memorials to the Lords and Commons.

The Houſe immediately reſolved itſelf into a Committee on the ſaid Addreſs and Memorials; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had had the ſaid Addreſs and Memorials under their Conſideration, and had made ſeveral Amendments to the ſaid Memorials, but none to the Addreſs, which he was to deliver in at the Table.

Ordered, That the ſaid Report be made to the Houſe To-morrow.

And then the Houſe adjourned until To-morrow Morning 10 o'Clock.

Friday, the 14th of December. 5 Geo. III. 1764.

AN engroſſed *Bill* entitled *An Act*[1] *to veſt certain entailed Lands whereof* William Cary *is ſeized in* Allen Jones *in Fee Simple, and for ſettling other Lands and Slaves to be purchaſed in Lieu thereof to the ſame Uſes*, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Smith* do carry up the ſaid Bill to the Council for their Concurrence.

208 An engroſſed *Bill* entitled *An Act*[2] *for veſting the abſolute Property of certain Slaves therein named in* George Heal, *Gentleman, and for ſettling three certain Tracts of Land therein mentioned on the ſaid* George Heal *in Lieu of the ſaid Slaves*, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Landon Carter* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill* entitled *An Act*[3] *to dock the Entail of certain Lands whereof* Richard Todd *is ſeized, and for ſettling other Lands and Slaves in Lieu thereof*, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *John Pendleton* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill* entitled *An Act*[4] *for exempting the Inhabitants of* Elizabeth City *County, and alſo the Miniſters and other Pariſhioners of* Suffolk *in* Nanſemond, *and of* Antrim *Pariſh in* Halifax, *from the Payment of Ferriage, and for other Purpoſes therein mentioned*, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Lemuel Riddick* do carry up the ſaid Bill to the Council for their Concurrence.

209 A *Bill* For making an equal Diviſion of a Donation of one *Matthew Godfrey* between the ſeveral Pariſhes in the County of *Norfolk*, for the Benefit of their Poor was read a ſecond Time, and committed to Mr *Bradley* and Mr *Hutchings*.

Mr

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[1] Hening, VIII, p. 61. [2] *Ibid.*, VIII, p. 63. [3] *Ibid.*, VIII, p. 57. [4] *Ibid.*, VIII, p. 52.

Mr *Bradley* from the Perſons to whom the ſaid Bill was committed, reported that they had examined into the Allegations thereof, and found them to be true and had made ſome Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where they were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

An engroſſed *Bill* entitled *An Act*[1] *to veſt certain entailed Lands in* Robert Lewis, *Gentleman, in Fee Simple, and for purchaſing more convenient Lands to be ſettled in Lieu thereof*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Littlepage* do carry up the ſaid Bill to the Council for their Concurrence.

The *Treaſurer*, according to Order, laid his Accounts before the Houſe.

Ordered, That they do lie on the Table for the Peruſal of the Members of this Houſe.

Mr *Attorney*, according to Order, reported the Amendments propoſed by the Committee of the whole Houſe to the Memorials to the Lords and Commons; and he read the ſame in his Place, and then delivered them in at the Table, where they were again twice read, and agreed to by the Houſe. 210

Ordered, That the ſaid Addreſs and Memorials, with the Amendments, as agreed, be fairly tranſcribed.

Ordered, That Mr *Attorney* do go up with a Meſſage to be Council, to acquaint them that this Houſe have agreed upon an Addreſs to his Majeſty, and Memorials to the Right Honourable the Lords Spiritual and Temporal and the Commons of *Great Britain* in Parliament aſſembled, and that this Houſe do deſire they will join them therein, and further, that they deſire a Conference with them on the Subject Matter of the ſaid Addreſs and Memorials, and will appoint a certain Number of their Members to meet ſuch as ſhall be appointed by the Council for that Purpoſe.

Ordered, That Mr *Attorney*, Mr *Richard Henry Lee*, Mr *Wythe*, Mr *Edmund Pendleton*, Mr *Cary*, and Mr *Fleming*, be appointed Managers for this Houſe at the ſaid Conference.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill For amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms.

Reſolved, That this Houſe will again reſolve itſelf into the ſaid Committee Tomorrow. 211

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill For amending and declaring the Law concerning the Eſcape of Debtors out of the Priſon Rules, and for other Purpoſes therein mentioned.

Reſolved, That this Houſe will reſolve itſelf into the ſaid Committee Tomorrow.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill To enable Tenants in Taille to make Leaſes of their Lands.

Reſolved, That this Houſe will reſolve itſelf into the ſaid Committee Tomorrow.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Saturday, the 15th of December, 5 Geo. III. 1764.

MR *Richard Henry Lee*, from the Committee to whom the Petition of *Aaron Miller* was referred, reported that they had examined the Inſtruments mentioned in the ſaid Petition, and were of Opinion that Surveys of Land may be made and plotted by them with greater Accuracy than any Inſtruments of the Kind that they have ever ſeen or heard of; and that the Invention is ingenious, and deſerves the Publick's Encouragement; and that they had come to a Reſolution, which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe, as follows: 212

Reſolved

[1] Hening, VIII, p. 59.

Reſolved, That the ſaid *Aaron Miller* ought to be allowed the Sum of £30, as a Conſideration for his uſeful Invention.

Ordered, That the ſaid Reſolve be engroſſed, and that Mr *Richard Henry Lee* do carry it up to the Council for their Concurrence.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Bill *entitled* An Act[1] for exempting the Inhabitants of *Elizabeth City* County, and alſo the Miniſters and other Pariſhioners of *Suffolk* in *Nanſemond*, and of *Antrim* Pariſh in *Halifax*, from the Payment of Ferriage, and for other Purpoſes therein mentioned.

Alſo to the Bill *entitled* An Act[2] for altering the Court Days of the Counties of *Fauquier*, *Loudoun*, *Louiſa*, and *Fairfax*.

Alſo to the Bill *entitled* An Act[3] to dock the Entail of certain Lands whereof *Richard Todd* is ſeized, and for ſettling other Lands and Slaves in Lieu thereof.

Alſo to the Bill *entitled* An Act[4] to veſt certain entailed Lands whereof *William Cary* is ſeized in *Allen Jones* in Fee Simple, and for ſettling other Lands and Slaves to be purchaſed in Lieu thereof to the ſame Uſes.

213 *Alſo to the* Bill *entitled* An Act[5] to veſt certain Lands therein mentioned in *John Syme*, Eſq; and others, in Fee Simple, and for ſettling other Lands and Slaves in Lieu thereof.

Alſo to the Bill *entitled* An Act[6] for veſting the abſolute Property of certain Slaves therein named in *George Heal*, Gentleman, and for ſettling three certain Tracts of Land therein mentioned on the ſaid *George Heal* in Lieu of the ſaid Slaves, *without any Amendments*.

And that they have agreed to the Bill *entitled* An Act[7] to dock the Entail of 1800 Acres of Land in the Pariſh of *Albemarle*, in the County of *Suſſex*, whereof *Nathaniel Harriſon* the younger is ſeized in Fee Taille, and for veſting the ſame in Truſtees in Fee Simple for the Uſes therein mentioned.

Alſo to the Bill *entitled* An Act[8] for encouraging the Settlement of the Towns of *Alexandria* and *Falmouth*, and for other Purpoſes therein mentioned, *with ſome Amendments, to which they deſire the Concurrence of this Houſe*.

The Houſe immediately proceeded to the Conſideration of the Amendments propoſed by the Council to the Bill entitled *An Act*[9] *to dock the Entail of 1800 Acres of Land in the Pariſh of* Albemarle, *in the County of* Suſſex, *whereof* Nathaniel Harriſon *the younger is ſeized in Fee Taille, and for veſting the ſame in Truſtees in Fee Simple for the Uſes therein mentioned;* and the ſame being read, were agreed to.

Ordered, That Mr *Attorney* do go up to the Council and acquaint them therewith.

214 The Houſe alſo proceeded to conſider the Amendments propoſed by the Council to the Bill entitled *An Act*[10] *for encouraging the Settlement of the Towns of* Alexandria *and* Falmouth, *and for other Purpoſes therein mentioned*, and the ſame being read, were agreed to.

Ordered, That Mr *Attorney* do go up to the Council and acquaint them therewith.

Mr *Attorney* from the Committee of Propoſitions and Grievances, to whom the Bill For appointing ſeveral new Ferries, and for other Purpoſes therein mentioned, was committed, reported that the Committee had made ſeveral Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to.

Ordered, That the ſaid Bill, with the Amendments, be engroſſed, and read a third Time.

The Houſe, according to Order, reſumed the adjourned Conſideration of the Book of Claims; and the remaining Part thereof was read, and the Allowances of the ſeveral Officers being added, it was agreed to by the Houſe.

Ordered, That Mr *Cary* do carry up the ſaid Book to the Council for their Concurrence.

A *Meſſage* from the Council by Mr *Walthoe*.

That

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1 Hening, VIII, p. 52.
2 *Ibid.*, VIII, p. 47.
3 *Ibid.*, VIII, p. 57.
4 *Ibid.*, VIII, p. 61.
5 *Ibid.*, VIII, p. 54.
6 *Ibid.*, VIII, p. 63.
7 *Ibid.*, VIII, p. 66.
8 *Ibid.*, VIII, p. 49.
9 *Ibid.*, VIII, p. 66.
10 *Ibid.*, VIII, p. 49.

That they have agreed to the Bill *entitled* An Act[1] to veſt certain entailed Lands in *Robert Lewis*, Gentleman, in Fee Simple, and for purchaſing more convenient Lands to be ſettled in Lieu thereof. 215

Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that the ſaid Committee had had under their Conſideration that Part of the Report of the Commiſſioners appointed by an Act of Aſſembly entitled *An Act*[2] *for appointing Commiſſioners to examine and ſtate the Accounts of the Militia lately ordered out into actual Service, and for other Purpoſes therein mentioned*, as relates to the Conduct and Services of Col. *Adam Stephen* therein named; alſo the Charge exhibited in Writing againſt the ſaid Col. *Stephen*, and reflecting upon his Conduct, by Mr *Thomas Rutherford*, a Member of this Houſe, to them referred; and having heard as well the ſaid Mr *Rutherford* as Col. *Stephen*, and the Depoſitions of ſundry Witneſſes taken by Order of the Houſe upon the Subject Matter of the ſaid Charge, had agreed upon a Report, and come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, with ſome Amendments, as follow:

Your *Committee* beg Leave to inform the Houſe that the Charge exhibited by Mr *Rutherford* againſt Col. *Stephen* conſiſts of the following Aritcles, *viz.*

1ſt. That he had, by Perſuaſions, Orders, Threats, and Influences, prevented many Perſons from joining as Volunteers in the Expedition commanded by Col. *Bouquet* againſt the *Indian* Towns the *Ohio*, &c. 216

2d. That he had at ſeveral Times ordered the Militia in the actual Service of the Country out of this Colony, to the Forts *Cumberland* in *Maryland*, and *Bedford* in *Pennſylvania*, to eſcort Waggons and Pack-Horſes, with Flower and Beeves, his own Property, in Compliance with his own private Engagements, &c. and that the drawing off the Militia at ſuch particular Times rendered the ſeveral Garriſons from whence they were taken ſo weak that they were inſufficient to protect the Frontiers from the Incurſions of the *Indians*, who at that Seaſon were daily expected, and did actually come down within the Settlements, and kill and carry away many of the Inhabitants. *And*

3d. That he ſent Waggons from the *South Branch* to *Hite's Mill*, near his own Plantation, for his own Flower, to ſupply the ſeveral Garriſons on the Frontiers, when the ſame might have been had much nearer, as cheap and as good.

As to the firſt Article of the ſaid Charge, your Committee beg Leave to inform the Houſe that it appears to them that Mr *Rutherford* having intimated to Col. *Bouquet* that in his Opinion a Number of Volunteers might be raiſed in this Colony, to join him in his intended Expedition againſt the *Indians*, Col. *Bouquet*, by Letter of the 18th of *June* 1764 to Mr *Rutherford*, expreſſed his Cheerful Acceptance of their Services, and promiſed to ſupply ſuch Volunteers as would join him therein with Ammunition and Poviſions, deſiring his good Offices in promoting that Service, and adviſing that ſome of them would ſerve on Horſeback, to join his Light Horſe, and giving it as his Opinion that large Dogs might alſo be of Service to diſcover and purſue the Enemy: That Mr *Rutherford*, in Anſwer to this Letter, informed Col. *Bouquet* that he would write to the Governour to deſire his Permiſſion for a Number of the Militia then in Service on the Frontiers to enter themſelves as Volunteers in the ſaid Expedition; and that if the Governour ſhould be averſe to his Propoſal, he would then exert all his Intereſt to procure a Number of Volunteers to go upon his Terms: That Col. *Lewis* commanded the Militia in *Auguſta;* that he was a Gentleman of great Intereſt in that County, and had the Common Cauſe much at Heart; that a few Lines to him upon the Subject might not be amiſs; and that Col. *Stephen*, who commanded the Militia in *Frederick* and *Hampſhire*, might poſſibly look for the like Compliment; That ſoon after Mr *Rutherford*, in Company with Mr *James Keith* and others, laid Col. *Bouquet's* Letter to him before Col. *Stephen*, who expreſſed his Diſapprobation of the intended Expedition; that he thought Col. *Bouquet* the moſt improper Perſon for that Command, and that he was convinced he would proceed no further than *Pittſburg;* that all he wanted was to make a Noiſe and Parade, and ſo the Matter would end; that the Colony was very capable of undertaking the Expedition 217 218

[1] Hening, VIII, p. 59. [2] *Ibid.*, VIII, p. 9.

tion themſelves, and that it was a Shame to give that Credit and Honour to Col. *Bouquet*, which we might reap ourſelves; That Col. *Stephen* at other Times expreſſed his Diſlike of the ſaid intended Expedition in much the ſame Terms, and threatened ſome of the Officers and Soldiers under his Command that if they went out as Volunteers in the ſaid Expedition they ſhould be deprived of their Commiſſions, and ſhould not receive any Pay for the Services they had done. On the other Hand, your Committee beg Leave to obſerve that many other Perſons were examined (who were preſent at the Time it was ſaid Col. *Stephen* attempted to diſſuade People from entering as Volunteers in the ſaid Expedition, particularly at the Houſe of one *Robert Cunninghame*, where one *James Chew*, who was a Lieutenant in Capt. *Morgan's* Company of Militia, and others, depoſed that they heard him make Uſe of ſuch Diſſuaſions and Threatenings) who declared that
219 they did not hear Col. *Stephen* at that, or any other Time, attempt to diſcourage the Volunteer Scheme, or endeavour to diſſuade any Perſon whatſoever, either by Threats or any other indirect Practices, from joining Col. *Bouquet* on his Expedition: And it further appears to your Committee that Col. *Stephen*, having received a Letter from his Honour the Governour of the 18th and 20th of *Auguſt* laſt, granting his Permiſſion to all Perſons that ſhould think proper to join Col. *Bouquet* as Volunteers, on the Encouragement and Terms he ſhould offer them, and directing him to ſecond his Intentions as far as the Laws of the Colony would permit, Col. *Stephen* thereupon immediately ſent circular Orders to the Officers of the Militia under his Command, at their different Poſts, to encourage and promote the enliſting Volunteers for the ſaid Expedition, and did uſe his beſt Endeavours in that Service: And therefore,

Reſolved, That the ſaid Col. *Stephen* has not fully acquitted himſelf of the firſt Article of the ſaid Charge.

Your *Committee* then proceeded to examine the Evidence offered on both Sides, on the ſecond Article of the ſaid Charge, and beg Leave to inform the Houſe that it appears to them that in the Year 1763 Col. *Stephen* having engaged with the Contractors for ſupplying the King's Forces with Proviſions, to furniſh them with a Quantity of
220 Flower to be delivered at Forts *Cumberland* and *Bedford*, and a Number of Beeves to be delivered at Fort *Bedford*, employed Parties of the Militia under his Command to eſcort them thither reſpectively, which was accordingly executed, and were a very ſeaſonable ſupply to the Garriſon at Fort *Bedford*, who were ſhort of Proviſions at the Time of their being ſent there, and had preſſed Col. *Stephen* very much to aſſiſt them; and that Col. *Stephen* paid the Expenſe of the Paſturage of the Cattle on their Way up himſelf.

It further appears to your *Committee* that in the Spring of the following Year Col. *Stephen* received a Letter from Capt. *Ourry*, Commandant at Fort *Bedford*, encloſing another from the above mentioned Contractors, in which they informed him that as he had not complied with his Contract, in delivering the Flower he had engaged at the Times agreed on, he could not take it hard if they did not receive it according to the Terms of the firſt Contract; but that they had, upon the Requeſt of Col. *Bouquet*, come to a Determination to receive what he could deliver by the 4th of *June* at *Bedford*, or the 4th of *September* at *Pittſburg*, and allow him the Market Price: That Col. *Stephen* thereupon impreſſed a Number of Waggons, and ordered out Parties of the Militia, ſtationed at ſeveral of the Forts and Poſts in his Department, to eſcort them to Fort *Cumberland*, and
221 gave out that they were to go no further: That they were there loaded with Flower belonging to Col. *Stephen*, which he had in Store at that Fort, and from thence proceeded to Fort *Bedford* under the ſame Eſcort, many of whom declared that they did not think themſelves obliged to that Service, being out of the Colony, and threatened to return home, but were at length prevailed on by Col. *Stephen* to proceed: That Col. *Stephen* himſelf paid for the Waggonage of the Flower, and that they were about three Days engaged in that Service, and that Col. *Stephen* gave orders to eſcort any Perſons carrying their Commodities to Fort *Bedford*.

It appears that during the Abſence of theſe Parties from their Poſts two Men were killed in the Neighbourhood of *Foreman's* Fort by the *Indians*, and ſome near *Winchester;* but that thoſe Forts were not more weakened by thoſe Draughts than they uſually were upon ſending out ſcouting Parties.

It

It further appears to your *Committee* that as well the Militia who were in actual Service at and about Fort *Cumberland*, as the Inhabitants who were driven from their Plantations by the *Indians*, and took Refuge there, were ſupplied with Proviſions out of the King's Stores at that Fort.

Reſolved, That Mr *Rutherford* had proved the ſecond Article of the ſaid Charge againſt Col. *Stephen*, and that he was guilty of a Breach of his Duty in ſending out Eſ- 222
corts of the Militia under his Command in ſuch Services.

Your *Committee* then proceeded to an Inquiry and Examination of the third and laſt Article of the ſaid Charge, and beg Leave to inform the Houſe that it appears to them that it being impracticable to procure Flower for the Uſe of the Militia ſtationed on and about the *South Branch* and *Patterſon's* Creek, in that Neighbourhood, Col. *Stephen* impreſſed a Number of Waggons, and ſent them to *Jacob Hite's* Mill, near his own Plantation, and one alſo to *John Hite's* Mill, where they took in as well as his own Flower as ſome he had purchaſed of other People, which was tranſported to thoſe Poſts for the Uſe of the Militia: It appears that *Jacob Hite's* Mill was about 19 Miles, and *John Hite's* 4 Miles, diſtant from *Winchester;* and that Flower might have been procured at a leſs Diſtance, but it does not appear that Col. *Stephen* knew it: And it appears to your Committee to have been the conſtant Tenour of Col. *Stephen's* Orders, to the Officers of the Militia under his Command, to procure Flower and other Proviſions for their Men as near them, and with as little Expenſe to the Country, as they poſſibly could.

Reſolved, That Col. *Stephen* hath acquitted himſelf of the third Article of the ſaid 223
Charge.

Reſolved, That the ſaid Col. *Stephen* ought to be allowed the Pay of a County Lieutenant only during the Time he was employed in the Service of the Country.

Reſolved, That Col. *Adam Stephen* hath diſcharged his Duty (ſaving in the two Inſtances before mentioned) as a brave, active, and ſkilful Officer.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill For amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms.

Reſolved, That this Houſe will again reſolve itſelf into the ſaid Committee on *Monday* next.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill For amending and declaring the Law concerning the Eſcape of Debtors out of the Priſion Rules, and for other Purpoſes therein mentioned.

Reſolved, That this Houſe will reſolve itſelf into the ſaid Committee on *Monday* next.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill To enable Tenants in Taille to make Leaſes of their Lands.

Reſolved, That this Houſe will reſolve itſelf into the ſaid Committee on *Monday* next.

And then the Houſe adjourned until Monday Morning 10 o'Clock.

Monday, the 17th of December, 5 Geo. III. 1764. 224

MR. *Edmund Pendleton*, from the Committee to whom it was referred to aſcertain the Price of ſundry *Indian* Goods belonging to the Publick, purchaſed by Mr *Iſrael Chriſtian* without a Price agreed on, reported that the Committee had had the ſame under their Conſideration, and had agreed upon a Report, and come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to, as follow:

It appears to your *Committee* that Mr *Chriſtian* purchaſed of Mr *Thomas Walker* ſundry Goods belonging to the Publick, amounting (as rated by us) to £136. 13. 9; after which Mr *Chriſtian*, in his Way to the *Cherokee* Country, received from Capt. *William Ingles*

Ingles ſome other *Indian* Goods belonging to the Publick, now valued to £65. 16. 3, but whether the laſt mentioned Goods were purchaſed, or taken by Mr *Chriſtian* to be ſold on Account of the Publick does not appear. It further appears that Part of the Goods were ſold in the *Indian* Country; and as Mr *Chriſtian* was returning home he was purſued by the *Indians*, and all his Effects taken from him and loſt.

225 *Reſolved*, That the ſaid Mr *Chriſtian* ought to pay to the Treaſurer, for the Uſe of the Publick, the ſaid £136. 13. 9 for the firſt mentioned Goods.

Reſolved, That the Reſidue of the ſaid Account ought to be referred to the Conſideration of the next Seſſion of Aſſembly.

An engroſſed *Bill* entitled *An Act*[1] *for appointing ſeveral new Ferries, and for other Purpoſes therein mentioned*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry it up to the Council for their Concurrence.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Conference deſired by this Houſe upon the Subject Matter of the Addreſs to his Majeſty, and Memorials to the Lords and Commons, and have appointed three of their Members for that Purpoſe, who are now ready in the Conference Chamber to meet the Members of this Houſe.

Ordered, That the Managers appointed by this Houſe do immediately attend thoſe of the Council in the Conference Chamber; and they accordingly withdrew.

An engroſſed *Bill* entituled *An Act*[2] *to dock the Entail of certain Lands whereof* John Gregg *is ſeized, and for ſettling other Lands and Slaves to be purchaſed in Lieu thereof to the ſame Uſes*, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

226 *Ordered*, That Mr *Henry Lee* do carry up the ſaid Bill to the Council for their Concurrence.

Mr *Attorney* reported that the Managers for this Houſe had, according to Order, met thoſe of the Council in the Conference Chamber, and delivered the Addreſs and Memorials to them; which they received, and then withdrew.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill For Amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms.

Reſolved, That this Houſe will again reſolve itſelf into a Committee on the ſaid Bill on the 1ſt Day of *May* next.

A *Meſſage* from the Council by Mr *Walthoe*.

That they deſire an immediate Conference on the Subject Matter of the laſt Conference, in the Conference Chamber.

Ordered, That the Managers who were appointed to manage the firſt Conference do forthwith withdraw, and attend the Conference deſired by the Council; and they withdrew accordingly.

The Houſe, according to Order, reſolved itſelf into a Committee on the Bill For amending and declaring the Law concerning the Eſcape of Debtors out of Priſon Rules, and for other Purpoſes therein mentioned; and after ſome Time ſpent therein Mr *Speaker*

227 reſumed the Chair, and Mr *Attorney* reported that the Committee had had the ſaid Bill under their further Conſideration, and gone through the ſame, and had made ſeveral Amendments thereto, which they had directed him to report to the Houſe.

Ordered, That the ſaid Amendments be reported to the Houſe Tomorrow.

Mr

[1] Hening, VIII, p. 44. [2] Not paſſed until Oct. 1765

Mr *Attorney* reported that the Managers for the Houſe, had, according to Order, met the Managers for the Council in the Conference Chamber, who had acquainted them that the Council had conſidered the Addreſs of the Houſe to his Majeſty, and approved of the ſame; and that they had likewiſe conſidered the two Memorials to the Lords and Commons, and had made ſeveral Amendments to them, to which they deſire the Concurrence of this Houſe.

The *Order* of the Day being read, the Houſe immediately reſolved itſelf into a Committee on the Bill To enable Tenants in Taille to make Leaſes of their Lands; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had gone through the ſaid Bill, and had made ſeveral Amendments thereto; which he read in his Place, and then delivered in at the Table, where they were twice read, and agreed to.

Ordered, That the ſaid Bill, with the Amendments, be engroſſed, and read a third Time. 228

On a *Motion* made,

Ordered, That a Committee be appointed to examine and ſtate the Accounts of the Expenſes incurred by Mr *Rutherford* on his Information exhibited to this Houſe againſt Col. *Adam Stephen*, and that it do conſiſt of the following Perſons, *viz.* Mr *Edmund Pendleton*, Mr *Fleming*, and Mr *Walker*.

An engroſſed *Bill* entitled *An Act*[1] *for giving a greater Reward for killing Wolves* was read the third Time, and the Blanks therein filled up; and the Queſtion being put that the ſaid Bill do paſs,

It paſſed in the Negative.

Reſolved, That the ſaid Bill be rejected.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock

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Tuesday, the 18th of December, 5 Geo. III. 1764.

AN engroſſed *Bill* entitled *An Act*[2] *for making an equal Diviſion of a Donation of one* Matthew Godfrey, *between the ſeveral Pariſhes in the County of* Norfolk, *for the Benefit of their Poor*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Bradley* do carry up the ſaid Bill to the Council for their Concurrence.

On a *Motion* made, 229

Ordered, That Leave be given to bring in a Bill To amend an Act entitled *An Act*[3] *for giving a Reward for killing Wolves*, and it is referred to Mr *James Mercer* to prepare and bring in the ſame.

On a *Motion* made,

Reſolved, That the Clerk of the Publick Treaſury be allowed the annual Salary of £300 for his Services in that Office.

Mr *Pendleton*, from the Committee to whom it was referred to examine and ſtate an Account of the Expenſes incurred by Mr *Rutherford* on his Information exhibited againſt Col. *Adam Stephen*, reported that they had had the ſame under their Conſideration, and come to a Reſolution thereon; which he read in his Place, and then delivered in at the Table, where it was again twice read and agreed to by the Houſe, as follows:

Reſolved, That Mr *Thomas Rutherford* be paid by the Publick the Sum of £41 for his Expenſes in the Information againſt Col. *Adam Stephen*.

Ordered, That the ſaid Reſolve be engroſſed, and that Mr *Edmund Pendleton* do carry it up to the Council for their Concurrence.

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[1] Hening, VIII, p. 48. [2] Not paſſed until Oct. 1765. [3] Hening, VI, p. 152.

The Houſe took into Conſideration the Amendments propoſed by the Council to
230 the Memorials to the Lords and Commons; and the ſame being read were agreed to, with an Amendment.

Ordered, That the Managers appointed by this Houſe do go up with a Meſſage to the Council to acquaint them therewith, and that this Houſe do deſire another Conference with them thereupon, and had appointed the ſame Managers for that Purpoſe as before.

A *Meſſage* from the Council by Mr *Walthoe.*

That they have agreed to the Book of Claims.

Alſo that they have agreed to the Bill *entitled* An Act[1] to dock the Entail of certain Lands whereof *John Gregg* is ſeized, and for ſettling other Lands and Slaves to be purchaſed in Lieu thereof to the ſame Uſes.

Alſo to the Bill *entitled* An Act[2] for making an equal Diviſion of a Donation of one *Matthew Godfrey* between the ſeveral Pariſhes in the County of *Norfolk*, for the Benefit of their Poor.

Alſo to the Bill *entitled* An Act[3] for appointing ſeveral new Ferries, and for other Purpoſes therein mentioned.

Alſo to a Reſolve *of this Houſe For allowing M^r* Aaron Miller *the Sum of £30 for the Services therein mentioned.*

And that a Petition of John Earnſhaw, Gabriel Cay *and* Walter Hatton, *addreſſed*
231 *to the Governour and Council, had been read in Council, and was by them referred to the Conſideration of this Houſe.*

Ordered, That Mr *Cary* do wait on his Honour the Governour with the Book of Claims, and deſire his Aſſent thereto.

The Houſe proceeded to the Conſideration of the Petition of the ſaid *Earnſhaw, Cay*, and *Hatton;* and the ſame was read, ſetting forth that the Petitioner *John Earnſhaw* is appointed Comptroller of his Majeſty's Cuſtoms for the Upper Diſtrict of *James* River, with a Salary of £30 Sterling *Per Annum;* that the Petitioner *Gabriel Cay* is appointed Comptroller of the Lower Diſtrict of the ſaid River, with a Salary of £50 Sterling *per Annum;* and your Petitioner *Walter Hatton* is appointed Comptroller of the Diſtrict of *Accomack*, with a Salary of £40 Sterling *per Annum;* to be paid by the Commiſſioners of his Majeſty's Cuſtoms in *London:* That the ſaid Salaries are too ſmall and inconſiderable for their Trouble in their ſaid Offices, as well as inſufficient for their Support and Maintenance; and praying that they may be allowed the ſame Fees on all Veſſels trading to this Colony as are allowed by Law to the Collectors of his Majeſty's Cuſtoms in this Colony, or ſuch other Fees as ſhall be thought reaſonable; or that their Salaries may be
232 increaſed in ſuch Manner as this Houſe ſhall think fit. And the Queſtion being put that the ſaid Petition be referred to a Committee.

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

A *Meſſage* from the Council by Mr *Walthoe.*

That they have agreed to the Conference deſired by this Houſe, and that their Managers are now ready in the Conference Chamber.

Ordered, That the Managers appointed by this Houſe do attend thoſe appointed by the Council in the Conference Chamber; and they accordingly withdrew.

Mr *Attorney*, according to Order, reported that the Amendments propoſed by the Committee of the whole Houſe to the Bill For amending and declaring the Law concerning the Eſcape of Debtors out of the Priſon Rules, and for other Purpoſes therein mentioned; and he read the ſame in his Place, and then delivered them in at the Table, where they were again twice read, and agreed to by the Houſe.

Ordered,

[1] Not paſſed until Oct. 1765. [2] Not paſſed until Oct. 1765. [3] Hening, VIII, p. 44.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

Mr *Attorney* reported that the Members of the Council and this Houſe had met in the Conference Chamber, and that the Council had agreed to the Amendments propoſed by this Houſe to thoſe made by the Council to the Memorials to the Lords and Commons.

Ordered, That the Committee of Correſpondence do tranſmit fair Copies of the 233
Addreſs to his Majeſty, and the Memorials to the Lords and Commons, to the Agent for this Colony, in Order to their being reſpectively preſented; and that the ſame be inſerted in the Journal of this Houſe, as follow:

To the King's Moſt Excellent Majeſty.

Moſt gracious Sovereign,

We your Majeſty's dutiful and loyal Subjects, the Council and Burgeſſes of your ancient Colony and Dominion of Virginia, *now met in General Aſſembly, beg Leave to aſſure your Majeſty of our firm and inviolable Attachment to your ſacred Perſon and Government; and as your faithful Subjects here have at all Times been zealous to demonſtrate this Truth, by a ready Compliance with the Royal Requiſitions during the late War, by which a heavy and oppreſſive Debt of near Half a Million hath been incurred, ſo at this Time they implore Permiſſion to approach the Throne with humble Confidence, and to intreat that your Majeſty will be graciouſly pleaſed to protect your People of this Colony in the Enjoyment of their ancient and ineſtimable Right of being governed by ſuch Laws reſpecting their internal Polity and Taxation as are derived from their own Conſent, with the Approbation of their Sovereign or his Subſtitute: A Right which as Men, and Deſcendents of* Britons, *they have ever quietly poſſeſſed ſince firſt by Royal Permiſſion and Encouragement they* 234
left the Mother Kingdom to extend its Commerce and Dominion.

Your Majeſty's dutiful Subjects of Virginia *moſt humbly and unanimouſly hope that this invaluable Birthright, deſcended to them from their Anceſtors, and in which they have been protected by your Royal Predeceſſors, will not be ſuffered to receive an Injury under the Reign of your Sacred Majeſty, already ſo illuſtriouſly diſtinguiſhed by your gracious Attention to the Liberties of the People.*

That your Majeſty may long live to make Nations happy is the ardent Prayer of your faithful Subjects, the Council and Burgeſſes of Virginia.

To the Right Honourable the Lords Spiritual and Temporal in Parliament aſſembled:

The Memorial of the Council and Burgeſſes of Virginia, *now met in General Aſſembly,*

Humbly repreſents,

That your Memorialiſts hope on Application to your Lordſhips, the fixed and hereditary Guardians of Britiſh *Liberty, will not be thought improper at this Time, when Meaſures are propoſed ſubverſive, as they conceive, of that Freedom which all Men, eſpecially thoſe who derive their Conſtitution from* Britain, *have a Right to enjoy; and they flatter themſelves that your Lordſhips will not look upon them as Objects ſo unworthy your Attention as to* 235
regard any Impropriety in the Form or Manner of their Application, for your Lordſhips Protection of their juſt and undoubted Rights as Britons.

It cannot be Preſumption in your Memorialiſts to call themſelves by this diſtinguiſhed Name, ſince they are deſcended from Britons *who left their native Country to extend its Territory and Dominion, and who happily for* Britain, *and as your Memorialiſts once thought for themſelves too, effected this Purpoſe. As our Anceſtors brought with them every Right and Privilege they could with Juſtice claim in their Mother Kingdom, their Deſcendents may conclude they cannot be deprived of thoſe Rights without Injuſtice.*

Your Memorialiſts conceive it to be a fundamental Principle of the Britiſh *Conſtitution, without which Freedom can no Where exiſt, that the People are not ſubject to any Taxes but ſuch as are laid on them by their own Conſent, or by thoſe who are legally appointed to repreſent them: Property muſt become too precarious for the Genius of a free People which can be taken from them at the Will of others, who cannot know what Taxes ſuch People can bear, or the eaſieſt Mode of raiſing them; and who are not under that Reſtraint, which*

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236 *is the greateſt Security againſt a burthenſome Taxation, when the Repreſentatives themſelves muſt be affected by every Tax impoſed on the People.*

Your Memorialiſts are therefore led into an humble Confidence that your Lordſhips will not think any Reaſon ſufficient to ſupport ſuch a Power in the Britiſh *Parliament, where the Colonies cannot be repreſented; a Power never before conſtitutionally aſſumed, and which if they have a Right to exerciſe on any Occaſion muſt neceſſarily eſtabliſh this melancholy Truth, that the Inhabitants of the Colonies are the Slaves of* Britons, *from whom they are deſcended, and from whom they might expect every Indulgence that the Obligations of Intereſt and Affection can entitle them to.*

Your Memorialiſts have been inveſted with the Right of taxing their own People from the firſt Eſtabliſhment of a regular Government in the Colony, and Requiſitions have been conſtantly made to them by their Sovereigns on all Occaſions when the Aſſiſtance of the Colony was thought neceſſary to preſerve the Britiſh *Intereſt in* America; *from whence they muſt conclude they cannot now be deprived of a Right they have ſo long enjoyed, and which they have never forfeited.*

The Expenſes incurred during the laſt War, in Compliance with the Demands on this
237 *Colony by our late and preſent moſt gracious Sovereigns, have involved us in a Debt of near Half a Million; a Debt not likely to decreaſe under the continued Expenſe we are at in providing for the Security of the People againſt the Incurſions of our ſavage Neighbours, at a Time when the low ſtate of our Staple Commodity, the total Want of Specie, and the late Reſtrictions upon the Trade of the Colonies, render the Circumſtances of the People extremely diſtreſſful, and which, if Taxes are accumulated upon them by the* Britiſh *Parliament, will make them truly deplorable.*

Your Memorialiſts cannot ſuggeſt to themſelves any Reaſon why they ſhould not ſtill be truſted with the Property of their People, with whoſe Abilities, and the leaſt burthenſome Mode of taxing (with great Deference to the ſuperior Wiſdom of Parliament) they muſt be beſt acquainted.

Your Memorialiſts hope they ſhall not be ſuſpected of being actuated on this Occaſion by any Principles but thoſe of the pureſt Loyalty and Affection as they always endeavoured by their Conduct to demonſtrate that they conſider their Connexions with Great Britain, *the Seat of Liberty, as their greateſt Happineſs.*

The Duty they owe to themſelves and their Poſterity lays your Memorialiſts under the
238 *Neceſſity of endeavouring to eſtabliſh their Conſtitution upon its proper Foundation; and they do moſt humbly pray your Lordſhips to take this Subject into your Conſideration with the Attention that is due to the Well being of the Colonies, on which the Proſperity of* Great Britain *does in a great Meaſure depend.*

To the Honourable the Knights, Citizens, and Burgeſſes of Great Britain, *in Parliament aſſembled:*

The Remonſtrance of the Council and Burgeſſes of Virginia.

It appearing by the printed Votes of the Houſe of Commons of Great Britain *in Parliament aſſembled that in a Committee of the whole Houſe, the 17th Day of* March *laſt, it was reſolved that towards defending, protecting, and ſecuring the* Britiſh *Colonies and Plantations in* America, *it may be proper to charge certain Stamp Duties in the ſaid Colonies and Plantations; and it being apprehended that the ſame Subject, which was then declined, may be reſumed and further purſued in a ſucceeding Seſſion, the Council and Burgeſſes of* Virginia, *met in General Aſſembly, judge it their indiſpenſable Duty, in a reſpectful Manner, but with decent Firmneſs, to remonſtrate againſt ſuch a Meaſure, that at leaſt a Ceſſion of thoſe Rights, which in their Opinion muſt be infringed by that Procedure, may not be inferred from their Silence, at ſo important a Criſis.*

239 *They conceive it is eſſential to* Britiſh *Liberty that Laws impoſing Taxes on the People ought not to be made without the Conſent of Repreſentatives choſen by themſelves; who, at the ſame Time that they are acquainted with the Circumſtances of their Conſtituents, ſuſtain a Proportion of the Burthen laid on them. This Privilege, inherent in the Perſons who diſcovered and ſettled theſe Regions, could not be renounced or forfeited by their Removal hither,*

hither, not as Vagabonds or Fugitives, but licenſed and encouraged by their Prince and animated with a laudable Deſire of enlarging the Britiſh *Dominion, and extending its Commerce: On the contrary, it was ſecured to them and their Deſcendents, with all other Rights and Immunities of* Britiſh *Subjects, by a Royal Charter, which hath been invariably recogniſed and confirmed by his Majeſty and his Predeceſſors in their Commiſſions to the ſeveral Governours, granting a Power, and preſcribing a Form of Legiſlation; according to which, Laws for the Adminiſtration of Juſtice, and for the Welfare and good Government of the Colony, have been hitherto enacted by the Governour, Council, and General Aſſembly, and to them Requiſitions and Applications for Supplies have been directed by the Crown. As an Inſtance of the Opinion which former Sovereigns entertained of theſe Rights and Privileges, we beg Leave to refer to three Acts of the General Aſſembly paſſed in the 32^d^ Year* 240
of the Reign of King Charles II (*one of which is entitled* An Act for raiſing a Publick Revenue for the better Support of the Government of his Majeſty's Colony of *Virginia, impoſing ſeveral Duties for that Purpoſe*) *which they thought abſolutely neceſſary, were prepared in* England, *and ſent over by their then Governour, the Lord* Culpeper, *to be paſſed by the General Aſſembly, with a full Power to give the Royal Aſſent thereto; and which were accordingly paſſed, after ſeveral Amendments were made to them here: Thus tender was his Majeſty of the Rights of his* American *Subjects; and the Remonſtrants do not diſcern by what Diſtinction they can be deprived of that ſacred Birthright and moſt valuable Inheritance by their Fellow Subjects, nor with what Propriety they can be taxed or affected in their Eſtates by the Parliament, wherein they are not, and indeed cannot, conſtitutionally be repreſented.*

And if it were proper for the Parliament to impoſe Taxes on the Colonies at all, which the Remonſtrants take Leave to think would be inconſiſtent with the fundamental Principles of the Conſtitution, the Exerciſe of that Power at this Time would be ruinous to Virginia, *who exerted herſelf in the late War it is feared beyond her Strength, inſomuch that to redeem the Money granted for that Exigence her People are taxed for ſeveral Years to come: This, with* 241
the large Expenſes incurred for defending the Frontiers againſt the reſtleſs Indians, *who have infeſted her as much ſince the Peace as before, is ſo grievous that an Increaſe of the Burthen will be intolerable; eſpecially as the People are very greatly diſtreſſed already from the Scarcity of circulating Caſh amongſt them, and from the little Value of their Staple at the* Britiſh *Markets.*

And it is preſumed that adding to that Load which the Colony now labours under will not be more oppreſſive to her People than deſtructive of the Intereſts of Great Britian: *For the Plantation Trade, confined as it is to the Mother Country, hath been a principal Means of multiplying and enriching her Inhabitants; and, if not too much diſcouraged, may prove an inexhauſtable Source of Treaſure to the Nation. For Satiſfaction in this Point, let the preſent State of the* Britiſh *Fleets and Trade be compared with what they were before the Settlement of the Colonies; and let it be conſidered that whilſt Property in Land may be acquired on very eaſy Terms, in the vaſt uncultivated Territory of* North America, *the Coloniſts will be moſtly, if not wholly, employed in Agriculture; whereby the Exportation of their Commodities of* Great Britain, *and the Conſumption of their Manufactures ſupplied from thence,* 242
will be daily increaſing. But this moſt deſirable Connexion between Great Britain *and her Colonies, ſupported by ſuch a happy Intercourſe of reciprocal Benefits as is continually advancing the Proſperity of both, muſt be interrupted, if the People of the latter, reduced to extreme Poverty, ſhould be compelled to manufacture thoſe Articles they have been hitherto furniſhed with from the former.*

From theſe Conſiderations, it is hoped that the Honourable Houſe of Commons will not proſecute a Meaſure which thoſe who may ſuffer under it cannot but look upon as fitter for Exiles driven from their native Country after ignominiouſly forfeiting her Favours and Protection, than for the Proſperity of Britons *who have at all Times been forward to demonſtrate all due Reverence to the Mother Kingdom, and are ſo inſtrumental in promoting her Glory and Felicity; and that* Britiſh *Patriots will never conſent to the Exerciſe of anticonſtitutional Power, which even in this remote Corner may be dangerous in its Example to the interiour Parts of the* Britiſh *Empire, and will certainly be detrimental to its Commerce.*

A *Bill* For paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly was read a ſecond Time; and an Amendment being made thereto, it was ordered to be engroſſed and read a third Time.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Wednesday, the 19th of December, 5 Geo. III. 1764.

MR. *Mercer* preſented to the Houſe, according to Order, a Bill To amend an Act entitled *An Act*[1] *for giving a Reward for killing Wolves;* and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

An engroſſed *Bill* entitled *An Act*[2] *to enable Tenants in Taille to make Leaſes of their Lands*, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Edmund Pendleton* do carry up the ſaid Bill to the Council for their Concurrence.

On a *Motion* made,

Ordered, That all ſuch Depoſitions as ſhall be taken, purſuant to ſeveral former Reſolutions of the Houſe, on the controverted Elections now undetermined, be returned to the Houſe the 2d Day of *May* next.

On a *Motion* made,

The *Bill* To amend an Act entitled *An Act*[3] *for giving a Reward for killing Wolves* was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

244 An engroſſed *Bill* entitled *An Act*[4] *for paying the Burgeſſes Wages in Money for this preſent Seſſion of Aſſembly*, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Henry Lee* do carry up the ſaid Bill to the Council for their Concurrence.

Ordered, That a Committee be appointed to examine the Treaſurer's Accounts; and that it conſiſt of the following Perſons, *viz.* Mr *Edmund Pendleton*, Mr *Bland*, Mr *John Page*, Mr *Dudley Digges*, Mr *Benjamin Harriſon*, Mr *Cary*, Mr *Richard Henry Lee*, and Mr *Lewis Burwell*, that they examine the ſeveral Articles thereof, and report the Balance as it ſhall appear to them to the Houſe.

Ordered, That a Committee be appointed to examine the enrolled Bills, and that it conſiſt of the following Perſons, *viz.* Mr *Lemuel Riddick*, Mr *Henry Lee*, Mr *William Cabbell*, Mr *James Mercer*, Mr *John Pendleton*, and Mr *Adams*.

Ordered, That a Committee be appointed to proportion the publick Levy, and that it conſiſt of the following Perſons, *viz.* Mr *Cary*, Mr *Walker*, Mr *Upſhaw*, Mr *Wager*, Mr *Fleming*, and Mr *Read*.

Mr *Cary*, from the Committee appointed, reported that they had, according to Order, examined into the Condition of the Publick Gaol, and had found the ſame much out of Repair.

On a *Motion* made,

Ordered, That a Committee be appointed of the following Perſons, *viz.* Mr *Attorney*, Mr *Wythe*, Mr *Randolph*, Mr *Waller*, and Mr *Everard* to agree with Workmen to repair the ſame.

A *Bill* For the Relief of Pariſhes from ſuch Charges as may ariſe from Baſtard Children born within the ſame, was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Bill* To prevent the Practice of ſelling Perſons for Slaves that are not ſo, was read a ſecond Time, and committed to the Committee of Propoſitions and Grievances.

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1 Hening, VI, p. 152.
2 Not Paſſed until Oct. 1765.
3 Hening, VI, p. 152.
4 Not in Hening.

A *Bill* For the Preſervation of the Breed of Sheep, was read a ſecond Time.
Ordered, That the ſaid Bill be engroſſed, and read a third Time.
And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Thurſday, the 20th of December, 5 Geo. III. 1764.

ON a *Motion* made,

Ordered, That the Committee of Claims be diſcharged from bringing in a Bill For Settlement of Militia Accounts by Commiſſioners in the Country. 246

An engroſſed *Bill* entitled *An Act*[1] *for Reli f of Pariſhes from ſuch Charges as may ariſe from Baſtard Children born within the ſame*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Bland* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill*, entitled, *An Act*[2] *for amending and declaring the Law concerning the Eſcape of Debtors out of the Priſon Rules, and for other Purpoſes therein mentioned*, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry up the ſaid Bill to the Council for their Concurrence.

An engroſſed *Bill* entitled *An Act*[3] *to amend an Act entitled An Act for giving a Reward for killing Wolves*, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Mercer* do carry up the ſaid Bill to the Council for their Concurrence.

Mr *Cary* reported that the Committee appointed had, according to Order, ſettled the Proportion of the County Levy, and ſtated the ſame in a Book; which he delivered in at the Table, where it was read, and agreed to by the Houſe.

Ordered, That Mr *Cary* do carry up the ſaid Book to the Council for their Concur- 247
rence.

Mr *Attorney*, from the Committee to whom the Repreſentation of *George Pitt*, Keeper of the publick Magazine in the City of *Williamſburg* was referred, reported that they had examined into the State of the ſaid Magazine, and the publick military Stores contained therein, and had agreed to the following Report thereupon.

It appears to your *Committee* that there are now in the ſaid Magazine two Braſs Cannon and two Braſs Mortars, which are uſeleſs; alſo about 13,000 lbs. of Gunpowder, which is old, and the Barrels decayed and in bad Order; alſo a Quantity of Soldiers Clothes, Hats, and Shoes, which at the preſent are of little Uſe, and will be entirely ruined if they remain there: That there are alſo 102 Tents, which are old and uſeleſs; and 14 new Ones, which may be of Service: That there are alſo two Hogſheads of Cantins and Tin Kettles, one Tierce of Leather Shot Bags, and another of Canvas Knapſacks, and a Quantity of Leather Belts and Slings, old Drums and Drum Rims, which are uſeleſs; and a Number of Cartouch Boxes, in very bad Order: That there are alſo upwards of 500 old Firelocks and Barrels, which might be repaired at *12s. 6d.* each, but are not worth the Expenſe; and there is a Tub of Gun Flints, which may be reſerved for Uſe. 248

On a *Motion* made,

Ordered, That a Bill, or Bills, be brought in For the Sale of the uſeleſs military Stores in the Magazine, and it is referred to Mr *Attorney* to prepare and bring in the ſame.

An engroſſed *Bill* entitled *An Act*[4] *for the Preſervation of the Breed of Sheep*, was read the third Time, and the Queſtions being put that the ſaid Bill do paſs.

It

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[1] Not paſſed until Nov. 1769.
[2] Not paſſed until Oct. 1765.
[3] Hening, VIII, p. 48.
[4] Not recorded as a law.

It paſſed in the Negative.

Reſolved, That the ſaid Bill be rejected.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Book of Proportions.

Alſo to the Reſolve *For paying Mr* Thomas Rutherford *the Sum of Money therein mentioned.*

Ordered, That Leave be given to bring in a Bill For raiſing a Publick Levy, which was read the firſt Time, and ordered to be read a ſecond Time.

The Houſe being informed that Mr *Proffer*, one of the Members of this Houſe, hath been guilty of ſundry unjuſt and fraudulent Practices in antedating and adviſing, directing and aſſiſting, in the antedating ſundry Deeds and other Conveyances, with Intention to prejudice the Eſtates and Intereſt of others, and knowingly ſetting up ſeveral ſuch Deeds and Conveyances as fairly and *bona fide* made and executed, and in claiming under the ſame, either for himſelf or the Perſons for whom he acted, a Right and Intereſt in the Eſtates thereby conveyed, by which Creditors and Purchaſes have been or are likely to be involved in Troubles and Diſputes: That the ſaid Mr *Proffer* having preferred a Petition to the County Court of *Cumberland* for Leave to build a Mill on *Fine* Creek in the ſaid County, and for an Acre of Land of one *John Pleaſants* for that Purpoſe, and having obtained an Order for a Jury to value the ſaid Acre and Damages, in Order to pack a Jury did ſend or cauſe to be ſent to ſeveral Freeholders of the ſaid County written Summonſes, ſigned with the Name of the then High Sheriff of the ſaid County, and that without the Knowledge, Privity, or Conſent, of the ſaid Sheriff whereby ſuch Freeholders were commanded or required to attend at a certain Day and Place therein mentioned to ſerve on the ſaid Jury.

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Ordered, That the ſaid Information be referred to the Conſideration of the Committee of Privileges and Election; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

250 On a *Motion* made,

A *Bill* For raiſing a Publick Levy was read the ſecond Time, and committed to a Committee of the whole Houſe immediately.

The Houſe accordingly reſolved itſelf into a Committee on the ſaid Bill; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that they had had the ſaid Bill under their Conſideration, but not having Time to go through the ſame, they had directed him to move for Leave to ſit again.

Reſolved, That this Houſe will again reſolve itſelf into the ſaid Committee on the ſaid Bill To morrow.

Ordered, That the Chaplain attend to read Prayers every Morning at 9 o'Clock.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Friday, the 21st of December. 5 Geo. III. 1764.

THE Houſe, according to Order, reſolved itſelf into a Committee to take under their further Conſideration the Bill For raiſing a Publick Levy; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported

251 that they had gone through the ſaid Bill, and had made ſeveral Amendments thereto; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill, with the Amendments, be engroſſed, and read a third Time.

An engroſſed *Bill*, entitled *An Act*[1] *for raiſing a Publick Levy*, was read the third Time, and the Blanks therein filled up.

Reſolved

[1] Hening, VIII, p. 38.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Cary* do carry up the ſaid Bill to the Council for their Concurrence.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Bill *entitled* An Act[1] to enable Tenants in Taille to make Leaſes of their Lands, *with ſome Amendments, to which they deſire the Concurrence of this Houſe.*

Alſo to the Bill *entitled* An Act[2] to amend an Act entitled An Act for giving a Reward for killing Wolves, *without any Amendments.*

Alſo to the Reſolve *For paying the Printer's Salary.*

Mr *Bland*, from the Committee of Privileges and Elections, reported that they had had under their Conſideration the Information exhibited to this Houſe againſt Mr *Thomas Proffer*, to them referred, and had come to two Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow: 252

Reſolved, That the ſaid Mr *Thomas Proffer* be at Liberty to examine and take the Depoſitions of ſuch Witneſſes as ſhall be either unable to attend this Committee or are going out of the Colony, before any two Juſtices of the Peace of the County of *Cumberland*, touching the Subject Matter of the ſaid Information, and that he give reaſonable Notice of the Time and Place of taking ſuch Examinations to Mr *Archibald Cary;* and that the Juſtices before whom they ſhall be taken return the ſame to this Houſe on or before *Thurſday* the 2d Day of *May* next, being the Day appointed for hearing the ſaid Information before this Committee.

Reſolved, That the further Conſideration of the ſaid Information be referred to the ſaid 2d Day of *May* next.

A *Meſſage* from the Council was delivered by Mr *Walthoe*.

That they have agreed to the Bill *For raiſing a Publick Levy.*

Mr *Lemuel Riddick* reported that the Committee appointed had, according to Order, examined the enrolled Bills and Reſolves, and rectified ſuch Miſtakes as were found therein; and that they were truly enrolled.

Ordered, That Mr *Lemuel Riddick* do carry them up to the Council for their Inſpection. 253

A *Meſſage* from the Council by Mr *Walthoe*.

That they have inſpected the enrolled Bills and Reſolves, and are ſatiſfied they are truly enrolled.

A *Meſſage* from the Governour by Mr *Walthoe*.

Mr Speaker.

The Governour commands the immediate Attendance of your Houſe in the Council Chamber, and that you bring with you ſuch Bills and Reſolves as are ready for his Aſſent.

Mr *Speaker* with the Houſe went up accordingly, and his Honour the Governour was pleaſed to give his Aſſent to the following publick and private Acts.

1. *An Act*[3] *for further continuing the Act for reducing the ſeveral Acts for making Proviſion againſt Invaſions and Inſurrections into one Act.*

2.[4] *For further continuing an Act entitled An Act for reducing the ſeveral Acts made for laying a Duty on Liquors into one Act.*

3.[5] *For raiſing a Publick Levy, and for other Purpoſes therein mentioned.*

4.[6] *For dividing the County of Lunenburg into three diſtinct Counties.*

5.[7] *For dividing the Pariſh of Truro, in the County of Fairfax.*

6.[8] *For appointing ſeveral new Ferries, and for other Purpoſes therein mentioned.* 254

7.[9] *An Act for altering the Court Days of the Counties of Fauquier, Loudoun, Louiſa, and Fairfax.*

To

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[1] Not paſſed until Oct. 1765.
[2] Hening., VIII, p. 48.
[3] *Ibid.*, VIII, p. 37.
[4] *Ibid.*, VIII, p. 38.
[5] *Ibid.*, VIII, p. 38.
[6] *Ibid.*, VIII, p. 41.
[7] *Ibid.*, VIII, p. 43.
[8] *Ibid.*, VIII, p. 44.
[9] *Ibid.*, VIII, p. 47.

8. [1]*To amend an Act entitled An Act for giving a Reward for killing Wolves.*

9. [2]*For eſtabliſhing the Landing Place from Fraſer's Ferry at the Cauſey oppoſite thereto.*

10. [3]*For encouraging the Settlement of the Towns of Alexandria and Falmouth, and for other Purpoſes therein mentioned.*

11. [4]*For exempting the Inhabitants of Elizabeth City County, and alſo the Miniſters and other Pariſhioners of Suffolk in Nanſemond, and of Antrim Pariſh in Halifax, from the Payment of Ferriage, and for other Purpoſes therein mentioned.*

12. [5]*To veſt certain entailed Lands therein mentioned in John Syme, Eſq; and others, in Fee Simple, and for ſettling other Lands and Slaves in Lieu thereof.*

13. [6]*To dock the Entail of certain Lands whereof Richard Todd is ſeized, and for ſettleing other Lands and Slaves in Lieu thereof.*

14. [7]*To veſt certain entailed Lands in Robert Lewis, Gentleman, in Fee Simple, and for purchaſing more convenient Lands to be ſettled in Lieu thereof.*

15. [8]*To veſt certain entailed Lands whereof William Cary is ſeized in Allen Jones in*
255 *Fee Simple, and for ſettling other Lands and Slaves to be purchaſed in Lieu thereof to the ſame Uſes.*

16. [9]*For veſting the abſolute Property of certain Slaves therein named in George Heal, Gentleman, and for ſettling three certain Tracts of Land therein mentioned on the ſaid George Heal in Lieu of the ſaid Slaves.*

17. [10]*To dock the Entail of 1800 Acres of Land in the Pariſh of Albemarle, in the County of Suſſex, whereof Nathaniel Harriſon the Younger is ſeized in Fee Taille, and for veſting the ſame in Truſtees in Fee Simple for the Uſes therein mentioned.*

Mr *Speaker* being returned reported that he with the Houſe had attended the Governour in the Council Chamber, where his Honour had given his Aſſent to ſuch Bills and Reſolves as were ready, and was then pleaſed to ſignify to the Houſe of Burgeſſes, that, upon conſidering the Seaſon of the Year, and the long Time they had ſat, he judged a Receſs would be agreeable; and that, unwilling to impede the Buſineſs of the Seſſion by a Prorogation, he thought it expedient to direct them to adjourn themſelves to the 1ſt of *May* next.

Ordered, That the Houſe be adjourned to the 1ſt Day of *May* next.

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[1] Hening, VIII, p. 48.
[2] *Ibid.*, VIII, p. 49.
[3] *Ibid.*, VIII, p. 49.
[4] *Ibid.*, VIII, p. 52.
[5] *Ibid.*, VIII, p. 54.
[6] *Ibid.*, VII, p. 57
[7] *Ibid.*, VIII, p. 59.
[8] *Ibid.*, VIII, p. 61.
[9] *Ibid.*, VIII, p. 63.
[10] *Ibid.*, VIII, p. 66.

JOURNAL

of the

HOUSE OF BURGESSES

1765

Burgeſſes.

Accomac	Thomas Parramore
	*Southey Simpſon
Albemarle	Thomas Walker
	Henry Fry
Amelia	*Thomas Tabb
Amherſt	*William Cabell
	*Cornelius Thomas
Auguſta	Iſrael Chriſtian
	John Wilſon
Bedford	*William Callaway
	*John Talbot
Brunſwick	*William Thornton
	*Iſaac Rowe Walton
Buckingham	*Robert Bolling, Jr.
	*Joſeph Cabell
Caroline	*John Baylor
	Edmund Pendleton
Charles City	Benjamin Harriſon
	William Kennon
Charlotte	*Paul Carrington
	Clement Reade
Cheſterfield	Archibald Cary
	Seth Ward
The College	*Mann Page
Culpeper	John Field
	James Barbour
Cumberland	John Fleming
	George Carrington
Dinwiddie	*Robert Bolling
	*Leonard Claiborne, Jr.
Elizabeth City	George Wythe
	*William Wager
Eſſex	John Lee
	John Upſhaw
Fairfax	George Johnſton
	John Weſt
Fauquier	Thomas Harriſon
	Thomas Marſhall
Frederick	*George Waſhington
	*George Mercer
Glouceſter	*Thomas Whiting
	*John Page
Goochland	*John Payne
	Joſias Payne
Halifax	*Edward Booker
	*Walter Coles
Hampſhire	James Mercer
	Thomas Rutherford
Hanover	James Littlepage
	*John Syme
Henrico	*Bowler Cocke
	*Philip Mayo
Iſle of Wight	*James Bridger
	*Dolphin Drew
James City	Lewis Burwell
	Philip Johnſon
Jameſtown	Edward Champion Travis
King & Queen	John Robinſon
	John Pendleton
King George	*Charles Carter
	*William Champe
King William	Bernard Moore
	Carter Braxton
Lancaſter	*Charles Carter
	*Richard Mitchell
Loudoun	Francis Lightfoot Lee
	James Hamilton
Louiſa	*Thomas Johnſon
	Patrick Henry, Jr.
Lunenburg	*Henry Blagrave
	William Taylor
Mecklenburg	*Edmund Taylor
	Robert Munford
Middleſex	*John Smith
	*Gawin Corbin
Nanſemond	Willis Riddick
	Lemuel Riddick
New Kent	*Burwell Baſſett
	*Richard Adams
Norfolk	William Bradley
	*Thomas Veal
Norfolk Borough	*Joſeph Hutchings
Northampton	John Harmanſon
	Thomas Dalby
Northumberland	*Richard Hull
	*Spencer Ball
Orange	James Taylor
	James Walker
Prince Edward	*Peter Legrand
	*Abner Naſh
Prince George	Richard Bland
	Richard Bland, Jr.
Prince William	*John Baylis
	Henry Lee
Princeſs Anne	*Edward Hack Moſeley
	Anthony Walke

*Not ſhown by the Journal to have been preſent during the Aſſembly.

Richmond	John Woodbridge Landon Carter	Surry	Hartwell Cocke William Bailey
Southampton	Joſeph Gray *Benjamin Symmons	Suſſex	David Maſon *John Edmunds
Spotſylvania	*Fielding Lewis *William Johnſton	Weſtmoreland	*Richard Henry Lee Richard Lee
Stafford	William Fitzhugh Thomas L. Lee	Williamſburg	Peyton Randolph
		York	Dudley Digges Thomas Nelſon, Jr.

*Not ſhown by the Journal to have been preſent during the Aſſembly.

Changes in the Perſonnel, 1765.

Amelia	Robert Munford ſucceeded David Greenhill
Cumberland	George Carrington ſucceeded Thomas Proffer
Halifax	Walter Coles ſucceeded Nathaniel Terry
Louiſa	Patrick Henry ſucceeded William Johnſon

JOURNAL

of the

HOUSE OF BURGESSES

Wednesday, the 1st of May, 5 Geo. III. 1765.

THE Houſe this Day met, according to their Adjournment.

Ordered, That an Addreſs be made to the Governour, to order a new Writ to iſſue for electing a Burgeſs to ſerve in this preſent General Aſſembly for the County of *Cheſterfield*, in the Room of Mr *Richard Eppes*, deceaſed; and that Mr *Cary* do wait on his Honour with the ſaid Addreſs.

Ordered, That an Addreſs be made to the Governour, to order a new Writ to iſſue for electing a Burgeſs to ſerve in this Preſent General Aſſembly for the County of *Amelia*, in the Room of Mr *Greenhill*, who hath accepted of the Office of Sheriff of the ſaid County; and that Mr *Cary* do wait on his Honour with the ſaid Addreſs.

Ordered, That an Addreſs be made to the Governour, to order a new Writ to iſſue for electing a Burgeſs to ſerve in this preſent General Aſſembly for the County of *Lunenburg*, in the Room of Mr *Clement Read*, who hath accepted of the Office of Coroner of the ſaid County; and that Mr *Cary* do wait on his Honour with the ſaid Addreſs.

Ordered, That an Addreſs be made to the Governour, to order a new Writ to iſſue for electing a Burgeſs to ſerve in this preſent General Aſſembly for the County of *Louiſa*, in the Room of Mr *William Johnſton*, who hath accepted of the Office of Coroner of the ſaid County; and that Mr *James Littlepage* do wait on his Honour with the ſaid Addreſs.

The *Order* of the Day being read for the Houſe again to reſolve itſelf into a Committee on the Bill For amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms.

Reſolved, That this Houſe will reſolve itſelf into a Committee on the ſaid Bill on *Friday* next.

Ordered, That the Chaplain of this Houſe do attend to read Prayers every Morning at 9 o'Clock.

A *Petition* of *Peterfield Trent*, praying Leave to withdraw his Petition complaining of of an undue Election and return of Mr *Henry Fry* to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Albemarle*, was preſented to the Houſe and read.

Ordered, That the ſaid *Peterfield Trent*, have Leave to withdraw his ſaid Petition, and that the Committee of Privileges and Elections be diſcharged from proceeding any further therein.

Sundry *Petitions* from the Counties of *Cheſterfield*, *Amelia*, *Dinwiddie*, *Lunenburg*, *Prince Edward*, and *Halifax*, praying that another Inſpection of Tobacco may be eſtabliſhed in, near, or adjoining the Town of *Gateſville*, in the County of *Cheſterfield*, were preſented to the Houſe and read.

Ordered, That the ſaid Petition do lie on the Table.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Thurſday

Thurſday, the 2nd of May. 5 Geo. III. 1765.

A *Petition* of *Thomas Roy*, Proprietor of the Warehouſes called *Roy's*, and of ſundry Traders on *Rappahannock* River, in Oppoſition to a Petition of *Paul Micou's*, and ſundry other Perſons, for eſtabliſhing a new Inſpection on the Land of the ſaid *Micou*, in *Eſſex* County, was preſented to the Houſe and read.

Ordered, That the ſaid Petition do lie on the Table.

A *Petition* of ſundry Merchants, complaining of the Hardſhips and Inconveniences they lie under for Want of ſome better Method for proving Book Debts than the Law at preſent allows, and praying that the Time allowed for ſuch Proof may be extended, and the Method for proving ſuch Debts altered, and alſo that Sheriffs and other Officers may be ſubject to Damages for refuſing or neglecting to pay Money received by them on Executions, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Petition* of *Michael Chriſtian* and *Robert Clark Jacob*, praying to be exempted from paying the Duty on the Importation of 26 Hogſhead of Rum which was accidentally deſtroyed by Fire, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to Mr *Bland*, Mr *Riddick*, and Mr *Cary;* that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Petition* of ſundry Freeholders and Inhabitants of the County of *Amherſt*, complaining of the Hardſhips and Inconveniences they lie under by the preſent tedious and expenſive Method of proſecuting Suits in the County Courts, and praying that quarterly Courts may be eſtabliſhed in the ſaid County, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Bill* For allowing the full Fees to which the Lawyers practiſing in the ſeveral Courts of this Colony are entitled, in particular Caſes therein mentioned, to be taxed, upon Recovery, in the Bill of Coſts, was read a ſecond Time, and committed to the Committee for Courts of Juſtice.

A *Petition* of *Thomas Shepherd*, praying that a Ferry may be eſtabliſhed from his Land in the Town of *Mecklenburg*, in the County of *Frederick*, over the River *Potowmack*, to his oppoſite Land in the Province of *Maryland*, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Bill* For further continuing the Act[1] entitled *An Act[1] for the better regulating and collecting certain Officers Fees, and for other Purpoſes therein mentioned*, was read a ſecond Time, and committed to Mr *Pendleton*, Mr *Fleming*, and Mr *Bland*.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Friday, the 3rd of May. 5 Geo. III. 1765.

A *Petition* of *John Watts* and *William Young*, Inſpectors at *Jordan's* Warehouſes, ſetting forth that in the Month of *March* laſt one of the Warehouſes under their Care was broke open, and two Hogſheads of Tobacco ſtolen out of the ſame, though the ſaid Warehouſe was well ſecured by them, and praying that the Value of the ſaid Tobacco may be paid them by the Publick, was preſented to the Houſe and read.

Ordered

[1] Hening, V, p, 326.

5 *Ordered*, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

The *Order* of the Day being read for the Houſe to again reſolve itſelf into a Committee on the Bill For amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms.

Reſolved, That this Houſe will reſolve itſelf into a Committee on the ſaid Bill on *Wedneſday* next.

A *Bill* For amending the Act entitled *An Act*[1] *for directing the Trial of Slaves committing capital Crimes, and for the more effectual puniſhing Conſpiracies and Inſurrections of them, and for the better Government of Negroes, Mulattoes, and Indians, bond or free*, was read a ſecond Time, and ordered to be committed to a Committee of the whole Houſe.

Reſolved, That this Houſe will reſolve itſelf into a Committee on the ſaid Bill on *Wedneſday* next.

Ordered, That an Addreſs be made to the Governour to order a new Writ to iſſue, for electing a Burgeſs to ſerve in this preſent General Aſſembly for the County of *Halifax* in the Room of Mr *Terry*, who hath accepted of the Office of Sheriff of the ſaid County; and that Mr *Littlepage* do wait on his Honour with the ſaid Addreſs.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Saturday, the 4th of May, 5 Geo. III. 1765.

MR *Bland*, from the Committee of Privileges and Elections, reported that the ſaid Committee had had under their further Conſideration the Information exhibited to the Houſe on the 20th Day of *December* laſt, and referred to this Day to be examined into, againſt Mr *Thomas Proffer*, one of the Members of the Houſe; and having examined divers Witneſſes, and inſpected ſeveral Papers laid before the Committee touching the ſaid Information, and heard the ſaid Mr *Proffer*, have agreed upon a Report, and come to a Reſolution thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Your *Committee* beg Leave to obſerve that the ſaid Information contains two diſtinct Charges againſt the ſaid Mr *Proffer*.

1^ſt. That he hath been guilty of antedating, and adviſing, directing, and aſſiſting in the antedating, ſundry Deeds and other Conveyances, with Intention to prejudice the Eſtates and Intereſt of others, and knowingly ſetting up ſeveral ſuch Deeds and Conveyances as fairly and *bona fide* made and executed, and in claiming under the ſame, either for himſelf, or the Perſons for whom he acted, a Right and Intereſt in the Eſtates thereby conveyed, by which Creditors and Purchaſers have been, or are likely to be, involved in Troubles and Diſputes.

2^d. That the ſaid Mr *Proffer* having preferred a Petition to the County Court of *Cumberland*, for Leave to build a Mill on *Fine* Creek in the ſaid County, and for an Acre of Land of one *John Pleaſants* for that Purpoſe, and having obtained an Order for a Jury to value the ſaid Acre and Damages, in Order to pack a Jury did ſend, or cauſe to be ſent, to ſeveral Freeholders of the ſaid County written Summonſes, ſigned with the Name of the then High Sheriff of the ſaid County, and that without the Knowledge,
6 Privity, or Conſent of the ſaid Sheriff, whereby ſuch Freeholders were commanded or required to attend at a certain D y and Place therein mentioned to ſerve on the ſaid Jury.

With Reſpect to the firſt Charge againſt the ſaid Mr *Proffer*, your Committee beg Leave

[1] Hening. IV, p. 126.

Leave to inform the Houſe that an original Deed was laid before the Committee, produced by Mr *Proffer* himſelf, when called upon for it, bearing Date the 30th Day of *Auguſt* 1759, appearing to be an Indenture or Bargain and Sale between *Renne Laforce* of the County of *Goochland*, of the one Part, and the ſaid Mr *Proffer*, of the other Part, whereby the ſaid *Renne Laforce*, for the Conſideration of £20 current Money, ſaid to be in Hand paid by Mr *Proffer*, conveyed to him a Tract of Land containing about 240 Acres, lying on the ſouth Side of *James* River, in the ſaid County of *Cumberland*, being a Part of a Patent granted to the ſaid *Renne Laforce*, and bounded by the Lines of *John Baughan* and others therein named; which Deed the ſaid Mr *Proffer* denied before your Committee he had wrote himſelf, and it appears to be ſubſcribed with the Names of *Robert Cothron*, *Samuel Laforce*, *Robert Moſby*, *James Holman*, *Matthew Martin* (who made his Mark) and *Anthony Martin*, as Witneſſes thereto; and a Receipt alſo appears endorſed thereon for the Conſideration Money, ſigned by the ſaid *Laforce*, and ſubſcribed by the ſame Witneſſes; and by a Certificate of the Clerk of the ſaid County, it appears to have been proved in Court, by two of the ſubſcribing Witneſſes, the 24th Day of *March* 1760.

Your *Committee* then proceeded to examine ſeveral Witneſſes, concerning the ſaid Deed; and it appears to them, from the Teſtimony of *Samuel Flournoy*, that in the latter End of the Year 1759, or the Beginning of the Year 1760, he ſaw the ſaid *Laforce*, who was inquiring the Way to Mr *Proffer's*, and that the ſaid *Laforce* then informed him that one *Thomas Turpin* had entered a Petition againſt him for a Piece of his Land, and at the ſame Time aſked the ſaid *Flournoy* if he would buy it, ſaying he ſhould have it for a Trifle, rather than that *Turpin* ſhould get it, which the ſaid *Flournoy* refuſed, eſpecially as there was a Lawſuit depending about it. The ſaid *Flournoy* then depoſed that having afterwards heard that Mr *Proffer* had bought the ſaid Land, he aſked him about it, and he ſaid he had bought it, and had a Deed for it ſome Months before; and that Mr *Proffer* afterwards ſhowed him a Note or Certificate which was the Hand Writ ing of Mr *Proffer*, but ſigned by the ſaid *Laforce*, the Purport of which was to inform him that he had not offered to ſell him the Land petitioned for by *Turpin*, but another Piece adjoining it, which it appears the ſaid *Laforce* had ſome Time before ſold to one *John Baughan*. The ſaid *Flournoy* then declared he had not before that Time heard of the Petition entered by the ſaid *Turpin*.

It appears from the Evidence of the above named *Thomas Turpin* that he entered his Petition againſt the ſaid *Laforce* for the Land above mentioned, and which is the ſame Land conveyed by the ſaid *Laforce* to Mr *Proffer* by the Deed above mentioned, in the Month of *October* 1759; but he declared he had not mentioned his ſaid Petition to Mr *Proffer* until after he had heard he had purchaſed the Land, and that he believes Mr *Proffer* never interfered in the ſaid Petition, which is now depending in the General Court.

It appears from the Evidence of *Anthony Martin*, one of the ſubſcribing Witneſſes to the ſaid Deed, that he was deſired both by the ſaid *Laforce* and Mr *Proffer* to witneſs the ſame, which he accordingly did, and the ſaid *Laforce* acknowledged it to be his Act and Deed, and appeared to him to have been executed, and ſubſcribed by other Witneſſes before, but he does not remember when it was he witneſſed the ſaid Deed; that he had not heard of the ſaid *Turpin's* Petition at that Time, and that he lives within 7
three or four Miles of Mr *Proffer*, *Turpin* and *Flournoy*.

It further appears to your *Committee* from the Teſtimony of *Robert Cawthron*, whoſe Name is ſubſcribed as a Witneſs to the ſaid Deed, though it is not there ſpelt as he is uſed to write his Name, and which he did before the Committee in a different Manner from that in which it appears to be ſubſcribed to the ſaid Deed, that about three Years ago the ſaid *Laforce* had called at his Houſe, and told him that *Turpin* had entered for a Tract of Land of his in *Cumberland*, which he was afraid he ſhould loſe, but that he had been to Mr *Proffer's*, and he believed they had contrived a Way to ſave it; for that he had given Mr *Proffer* a Deed for it, which bore Date before the Petition, and that he had taken the Liberty to put his the ſaid *Cawthron's* Name to it as a Witneſs, and deſired him not to deny his having witneſſed ſuch a Deed if he ſhould be aſked about

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it by Mr *Turpin* or any one elſe. The ſaid *Cawthron* further depoſed that the ſaid *Laforce* afterwards produced to him a Paper, which he took to be a Deed, and believed it was a Copy of the former Deed, made by one *Holdman*, which the ſaid *Laforce* deſired him to ſee him ſign, and witneſs it himſelf, that he might have it to ſay he had witneſſed ſuch a Deed. That Mr *Proffer* was not preſent when theſe Things paſſed between him and *Laforce*, but that he believes he has heard Mr *Proffer* ſay he was privy to theſe Tranſactions, and that they were done to avoid the ſaid *Turpin's* Petition.

It likewiſe appeared to your *Committee*, from the Teſtimony of *Littlebury Moſby*, that Mr *Proffer* told him that *Robert Moſby*, one of the ſubſcribing Witneſſes to the ſaid *Laforce's* Deed, was his Relation, to which the ſaid *Littlebury Moſby* anſwered, he believed he had been dead too long to have been a Witneſs to the ſaid Deed.

Mr *James Littlepage* alſo declared before your Committee that Mr *Proffer* told him that the ſaid *Robert Moſby*, the Witneſs to the ſaid Deed, was the Son of *Robert Moſby* deceaſed, but that he was not preſent at the Execution of the ſaid Deed.

Mr *George Carrington* then depoſed that he believes that the ſaid *Laforce's* Deed to Mr *Proffer* to be Mr *Proffer's* Writing, and the Name *Robert Moſby* thereto ſubſcribed alſo.

Mr *James Lyle* depoſed that he believes the ſaid Deed to be Mr *Proffer's* Writing, but not the Name *Robert Moſby* thereto ſubſcribed, as they do not appear to him to be the ſame Writing, but that Mr *Proffer's* Name in the Receipt endorſed thereon is his proper Hand Writing. Mr *Lyle* further declared that he has had conſiderable Dealings with Mr *Proffer*, and had no Reaſon to ſuſpect him of Diſhoneſty.

Mr *Alexander M'Caul* alſo depoſed that though he was but little acquainted with Mr *Proffer's* Hand Writing, yet he believes his Name in the Receipt on the ſaid Deed in his proper Writing.

A *Certificate* from the Deputy Clerk of the County Court of *Henrico* was then produced to your Committee, from which it appears that on the 4th Day of *December* 1758, on the Motion of *Mary Moſby*, Adminiſtration of the Eſtate of her deceaſed Huſband *Robert Moſby* was in due Form granted to her by the ſaid Court, which ſaid *Robert Moſby* is the ſame Perſon whoſe Name is ſubſcribed as a Witneſs to the ſaid Deed.

It further appeared to your *Committee*, from the Evidence of Mr *John Scott*, that Mr *Proffer* ſome Time ago (but he does not remember when) went to his Houſe, and
8 aſked him if he could contrive Notice to *Laforce* that *Turpin* intended to Petition for his Land, adding that it would be doing a good Act to ſave the poor Man's Land.

It alſo appeared to your *Committee*, from comparing the ſaid *Laforce's* Deed with other Writings of Mr *Proffer's*, to be his proper Hand Writing, as alſo the Name *Robert Moſby* thereto ſubſcribed.

Another Inſtrument of Writing was then produced, and laid before your Committee, which appears to be a Bill of Sale from one *Robert Hughes* of the ſaid County of *Cumberland* to the ſaid Mr *Proffer*, whereby for the Conſideration of £120 current Money, ſaid to be in Hand paid by Mr *Proffer*, the ſaid *Hughes* ſold him one Negro Man named *Joe*, and one Negro Girl named *Jenny*, and her future Increaſe, as alſo ſundry Horſes, Cattle, and Sheep, and a Quantity of Houſehold Furniture; that it bears Date the 1ſt Day of *January* 1763, and was acknowledged by the ſaid *Hughes* in *Cumberland* Court the 24th Day of *October* in the ſame Year.

Your *Committee* then proceeded, in like Manner, to examine Witneſſes concerning the ſaid Bill of Sale, and beg Leave to inform the Houſe that the above named *Littlebury Moſby*, who was then Sheriff of the ſaid County of *Cumberland*, depoſed that a few Days before the Court when the ſaid Bill of Sale was produced he had taken the ſaid *Hughes* into Cuſtody, upon an Execution, at the Suit of one *Alexander Stewart:* That the ſaid *Hughes* gave ſecurity for the Liberty of the Priſon Rules: That while he was ſo in Cuſtody Mr *John Pleaſants*, to whom the ſaid *Hughes* was likewiſe indebted, applied to him the ſaid *Moſby*, and told him that *Hughes* had promiſed to give him a Bill of Sale to ſecure his Debt; that he would ſend one to him the next Court, and deſired him to get *Hughes* to ſign it, or otherwiſe to iſſue a Writ againſt him: That on the ſucceeding

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Court Day he ſaw Mr *Proffer* and the ſaid *Hughes* go up Stairs in the Court Houſe together; that he followed them and found that *Hughes* had juſt ſigned a Paper, and delivered it to Mr *Proffer:* That he then produced to *Hughes* the Bill of Sale Mr *Pleaſants* had ſent him, and deſired him to ſign it, which *Hughes* refuſed to do, ſaying he had otherwiſe diſpoſed of his affairs: That Mr *Proffer* and the ſaid *Hughes* then went down into Court, when the ſaid *Hughes* acknowledged the ſaid Bill of Sale: That in the Evening of the ſame Day Mr *Proffer* went to the Deponent and told him *Hughes* was gone home, at which being greatly ſurpriſed, Mr *Proffer* took him aſide and deſired him not to be uneaſy, told him he ſhould not ſuffer by *Hughes's* going out of the Bounds, he would ſecure him from all Damages, and would ſend him a diſcharge from *Stewart;* which he accordingly did ſome Time after. That in the Month of *December* afterwards he deſired Mr *Carrington*, the Clerk of the Court, to ſhow him the Bill of Sale, and upon examining it found it was antedated, of which he informed Mr *Eſdale*, another of *Hughes's* Creditors, who had iſſued an Execution againſt *Hughes's* Eſtate, on which Return was made that there were no Effects to be found, and told him he might venture to iſſue another Execution againſt the ſaid *Hughes's* Eſtate, which he accordingly ordered and the Deponent then levied it on *Joe*, one of the Slaves named in the ſaid Bill of Sale: That the Deponent then told *Hughes* what he had done, who ſaid that the Negroes belonged to Mr *Proffer*, he having a Bill of Sale for them: That Mr *Proffer* being ſent for, he aſked the Deponent why he had taken the Slave, when he knew he had a Bill of Sale for him, and ſwore he would ſue him to the General Court: That the Deponent then told Mr *Proffer* he knew he had a Bill of Sale for the Negro, and that he alſo knew how it was taken; that it was executed the *October* Court Day before, but was antedated to the 1ſt of *January*, which Mr *Proffer* acknowledged, but ſaid he knew not 9
that any ill Conſequences could attend it. The ſaid *Littlebury Moſby* alſo depoſed that there had been ſome other Executions iſſued againſt the ſaid *Hughes's* Eſtate, on which the like Return was made of no Effects, being in Conſequence of the ſaid Bill of Sale.

It likewiſe appeared, from the Teſtimony of Mr *David Roſs*, that Mr *Alexander Baine* had a Suit depending againſt the ſaid *Hughes;* and an Attachment being awarded againſt his Eſtate, it was not ſerved, until lately, owing to the ſaid Bill of Sale to Mr *Proffer*. That Mr *Proffer* has ſince told him that the Bill of Sale was granted to him in Conſequence of his ſatiſfying Mr *Stewart's* Debt, for which he was in Execution; but on his looking into it, he found it was antedated, though Mr *Proffer* had told him it was taken at the *Cumberland* Court in *October*.

A *Deed* was then produced to your Committee, dated the 26th Day of *January* 1763, by which the ſaid *Hughes* conveyed his Lands and Negroes to his Children, named therein.

And by the *Evidence* of Mr *George Carrington*, it appears to your Committee that on the 22d Day of *Auguſt* 1763, the Day on which the ſame was proved in *Cumberland* Court, Mr *Proffer* was on the Bench, and deſired to ſee it, and after reading it ſaid he had intended to go down the next Day and ſecure that Eſtate.

Mr *John Fleming* alſo declared before your Committee that he ſaw and read the ſaid Deed the Day it was proved, and at Mr *Proffer's* Requeſt ſhowed it to him, who aſking him what could be the Deſign of the Deed, he anſwered it appeared to him that *Hughes* deſigned to defraud his Creditors, and that Mr *Proffer* then told him he had intended to go the next Day and ſecure that Eſtate.

It further appears to your *Committee*, from the Evidence of Mr *Alexander Stewart*, that he hearing *Hughes* was diſcharged out of Cuſtody, expected to receive his Debt of the Sheriff in a ſhort Time: That ſoon after he received a Letter from one *Bennett Goode*, deſiring him to diſcharge *Hughes* out of Priſon, and he would pay the Debt; and that he accordingly wrote to the Sheriff to diſcharge him: That the ſaid Letter was dated the 26th Day of *October* 1763, and that Mr *Proffer* acknowledged he wrote it for *Goode:* That he lay out of his Money five or ſix Months, and it was afterwards paid to him through the Hands of Mr *Proffer*.

The above named *Bennett Goode* then depoſed that Mr *Proffer* came to his Houſe, and

and told him of *Hughes's* being in Execution; that he the Deponent was deſirous of getting him out of Priſon, and that Mr *Proffer* then told him he had a Bill of Sale from *Hughes*, but ſaid he feared he ſhould be obliged to pay Mr *Stewart's* Debt: That this Converſation paſſed a few Days before the Court in which the ſaid *Hughes's* Bill of Sale to Mr *Proffer* was acknowledged: That he the Deponent owed Mr *Proffer* about £20, which he paid in Diſcharge of ſo much of *Hughes's* Debt to *Stewart;* and that at Mr *Proffer's* Requeſt the Deponent directed Mr *Proffer* to write a Letter to Mr *Stewart* deſiring him to diſcharge *Hughes* out of Priſon, which he ſigned.

It likewiſe appears to your *Committee*, from the Evidence of Mr *John Eſdale*, that he had obtained a Judgment againſt *Hughes*, out of which he lay ſome Time, in Conſequence of the ſaid Bill of Sale to Mr *Proffer*.

Joſeph Carrington depoſed that about the Months of *May* or *June* Mr *Moſby* the Sheriff deſired his Aſſiſtance in ſerving an Execution on *Hughes's* Negroes: That *Hughes* inſiſted the Slaves belonged to Mr *Proffer*, who being ſent for came, and was very angry, and told *Moſby* he had a Bill of Sale for the Negro taken in Execution: That *Moſby* anſwered he knew he had, and could tell him how he had got it; that it was taken in *October*, but antedated to the *January* before.

The ſaid *Robert Hughes* then being examined, depoſed that he owed Mr *Proffer* the Money mentioned in the Bill of Sale; but not ſo much, excluſive of the Debt he owed Mr *Stewart*, and for which he was in Execution: That the ſaid Bill of Sale was wrote by Mr *Proffer*, and executed and acknowledged on one and the ſame Day, which was done by his Deſire; and the antedating it was deſigned to ſecure Mr *Proffer*, Mr *Lyle*, and his other Creditors, in Preference to his Children: That Mr *Proffer* had been his Friend, and he believed intended no Fraud by the Bill of Sale, and had by theſe Means done him great Service. He further depoſed that he had received the ſeveral Sums of Money mentioned in an Account produced to the Committee, which were applied towards diſcharging his Debt to Mr *Stewart*.

Another *Deed* was then produced, and laid before your Committee, from one *Anthony Martin* to one *Thomas Smith*, for the conveying 50 Acres of Land to the ſaid *Smith*, dated the 1ſt Day of *December* 1758.

Your *Committee* then proceeded to examine Evidence thereon; and the ſaid *Anthony Martin* depoſed that the ſaid *Smith* being entitled to a Piece of Land which had been given to the Deponent by his Father, by the ſaid *Smith's* Intermarriage with the Deponent's Mother, the ſaid *Smith* propoſed to give up that Land to the Deponent, if he would let him have 50 Acres of it, which adjoined other Lands belonging to the ſaid *Smith*, when he came of Age: That the Deponent agreed to the Propoſal, and gave Bond and Security to convey the ſaid 50 Acres to the ſaid *Smith* as ſoon as he came of Age: That the Deponent married ſoon after he was of Age, but the Execution of his Deed to the ſaid *Smith* was neglected for about three Months afterwards: That Mr *Proffer* was then deſired to lay off the ſaid 50 Acres, which he did; and a Diſpute then ariſing about the Neceſſity of the Deponent's Wife's going to Court to relinquiſh her Right of Dower, it was agreed on between them, as he believes by Mr *Proffer's* Advice, that the Deed ſhould he made to bear Date before the Deponent's Marriage, which would ſave that Trouble: The Deponent does not know whether his Wife was preſent at the Time of this Converſation, or when the Deed was executed, but believes it was at his own Houſe.

An *Indenture* of Mortgage was then laid before your Committee, between the before named *Robert Hughes* and Meſſ. *George Kippen*, *Archibald Ingraham*, and Company, whereby the ſaid *Hughes* acknowledged himſelf indebted to the ſaid *Kippen* and others in the Sum of £226. 6 Current Money, for ſecuring the Payment thereof mortgaged to them two Tracts of Land therein deſcribed, one of which containing 619 Acres was ſaid to be purchaſed of *Benrett Goode*, the other of 240 Acres, on *Willis's* Creek in *Cumberland*, of *John Jude;* the ſaid Mortgage appears to bear Date the 4th Day of *May* 1763, and was acknowledged by the ſaid *Hughes* the 24th Day of *October* in the ſame Year

Year, the Time limited by the ſaid Mortgage for Payment of the ſaid Money being within ſix Months after the Date.

Your *Committee* beg Leave to inform the Houſe that upon examining Witneſſes concerning the ſaid Mortgage, Mr *James Lyle* depoſed that the ſaid *Hughes* being indebted to *Kippen* and Company in a conſiderable Sum of Money, he deſired Mr *Proffer* to ſend him down to give him a Mortgage for ſecuring that Debt: That *Hughes* came down accordingly, and executed the above mentioned Mortgage, which the Deponent took for both the Tracts of Land therein mentioned, having heard of an intended Exchange 11
of Lands between the ſaid *Hughes* and one *John Jude*. The Deponent then declared that he ſent up the ſaid Mortgage to Mr *Proffer*, deſiring him to get it acknowledged, and that it then bore Date ſome Time in *October* 1763; and that he wrote to Mr *Proffer* at the ſame Time to inform him that *Hughes* had agreed to have it foreclоſed ſooner than the Time limited therein, and deſired him to get the Time of Payment altered: That the Perſon he ſent up with the Mortgage, on his Return, informed him that Mr *Proffer* intended to alter the Date of it, which the Deponent was alarmed at; and that Mr *Proffer* did alter the Date from *October* to *May*, which he believes was done with *Hughes's* Conſent, and is prior to the Date of the Deeds between *Hughes* and *Jude*.

John Jude depoſed that in *Auguſt* 1763, going up the Country, he called at *Hughes's* Houſe, who propoſed an Exchange of Lands with him, and aſked of him £150 to Boot: That the Deponent then declined it, but ſaid he would look at it on his Return, and if he liked it would agree with him. That when the Deponent returned the ſaid *Hughes* mentioned the Exchange again, when the Deponent took a View of his Land, and agreed to his Propoſals: That mutual Deeds were executed between them, and the Deponent gave the ſaid *Hughes* his Bonds for Payment of the Difference, which were all dated the 11th Day of *September* 1763. That the Deponent underſtood that when the ſaid *Hughes* was taken in Execution he endorſed over his ſaid Bonds to Mr *Pleaſants*, as Counter Security to him for becoming his Security for the Priſon Rules: That the ſaid *Pleaſants* afterwards ſent the ſaid Bonds to the Deponent, to know whether they would be paid, and he anſwered they would be paid when due. That afterwards the ſaid *Pleaſants* told the Deponent of the ſaid *Hughes's* having before executed a Deed of Gift of his ſaid Land to his Children, as alſo of his Mortgage to Meſſ. *Kippen* and Company, upon which the Deponent wrote to Mr *Fleming*, deſiring him to advertiſe in the Gazette the Manner in which he had been deceived, and alſo wrote to *Hughes* to deſire he would deliver up his Deed to him, and offering to return the Deed he the ſaid *Hughes* had executed to the Deponent, which the ſaid *Hughes* refuſed to do. The Deponent further declared that Mr *Proffer*, in the Month of *February* or *March*, deſired him to give up the ſaid *Hughes's* Deed to him, telling him it could be of no Uſe to him, as *Hughes* had before made a Deed for the ſaid Land to his Children, and a Mortgage to the ſaid *Kippen* and Company: That the Deponent at firſt refuſed ſo to do; but propoſing that Mr *Proffer* ſhould give him his Bond, in the Penalty of £300, to return the Deed when called for, and Mr *Proffer* agreeing to it, he accordingly delivered it up to him: That Mr *Proffer* told the Deponent he wanted the Deed only to ſhow the Court that he the Deponent had given up his Right to the Land.

It further appeared to your *Committee*, from the Evidence of Mr *Patrick Henry*, that ſome Time after *Hughes* had executed the Mortgage above mentioned, to Meſſ. *Kippen* and Company, Mr *Proffer* told him that Mr *Lyle* had directed him to alter the Time therein limited for Payment, and to apply to himſelf and Mr *Fleming* for advice thereon: That Mr *Proffer* told him at the ſame Time he had altered the Date of the ſaid Mortgage, and aſked the Deponent whether it would be good; that the Deponent then told him, if it did not interfere with any other Deed, it would be good. The ſaid Mr *Henry* further depoſed that ſoon after he ſaw the ſaid *Hughes*, and aſked him about the ſaid Mortgage, *Hughes* anſwered he was deſirous the ſaid Mortgage ſhould be fore- 12
cloſed as ſoon as poſſible; the ſooner it was done the leſs Intereſt he ſhould have to pay, and the ſooner he ſhould pay his Debts. That a Suit being brought to foreclоſe the Mortgage, he told the ſaid *Hughes* of it, and that as nobody had appeared for him when

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it was firſt called, he told the ſaid *Hughes*, if he choſe to defend it, then was his Time; to which *Hughes* anſwered he did not intend it. That the Deponent afterwards drew an Anſwer for the ſaid *Hughes* to the Bill for Foreclоſure, in which the Allegations of the Bill were confeſſed; and a Decree was made accordingly. That Mr *Proffer* after wards aſking the Deponent if any Hole could be picked in the Mortgage, he anſwered, as before, that if it did not interfere with any other Deed, it might be ſupported; but that this laſt Converſation happened ſome Time after the ſaid Mortgage had been talked of, and made ſome Noiſe in the County.

It likewiſe appeared to your *Committee*, from the Teſtimony of Mr *James Pleaſants*, that the ſaid *Hughes* was indebted to Mr *John Pleaſants* about £70, which he was deſirous of ſecuring; but that *Hughes* refuſed to aſſign over the ſaid *Jude's* Bonds to him, unleſs he would be his Security for the Priſon Rules.

Your *Committee* then proceeded to examine Witneſſes touching the ſecond Charge in the ſaid Information againſt Mr *Proffer*, and beg Leave to acquaint the Houſe that Mr *Littlebury Moſby* depoſed that ſome Time ago Mr *Proffer* came to him and gave him a Liſt of 12 Perſons, whom he deſired the Deponent (then Sheriff of *Cumberland* County) to ſummon as a Jury, on an Order of Court he had obtained to build a Mill, and that they ſhould meet him on the *Monday* following at the Place to be viewed: That the Deponent told him he could not attend ſoon, when Mr *Proffer* anſwered that he would get the Jury together at his Houſe, and ſave him the Trouble of riding about to ſummon them. That ſoon after the ſaid Order of Court was ſent to him, upon examining into which, and finding it would conſiderably affect Mr *Pleaſants*, he then looked over the Liſt of Jurymen left with him by Mr *Proffer*, and finding that Mr *Proffer* had choſen ſome Perſons for that Purpoſe that he could not approve of, ſome of them living at a conſiderable Diſtance, he tore the Liſt and threw it into the Fire, and determined to ſummon ſuch a Jury as he thought proper, that Mr *Pleaſants* might have an equal Chance for Juſtice, of which he told Mr *Proffer*, who did not complain of it: That he accordingly ſummoned a Jury, and attended with them on the Day appointed for the Buſineſs, but not at Mr *Proffer's* Houſe. Mr *Moſby* further ſaid that *Joſeph Bondurant*, *William Whorly*, and *William Maxy*, were three of the Perſons named in Mr *Proffer's* Liſt of Jurymen.

It then appeared to your *Committee*, from the Evidence of *Joſeph Bondurant*, that Mr *Proffer's* Storekeeper went to his Houſe, and delivered him a Note in Writing, ſigned with the Name of *Littlebury Moſby*, Sheriff of the ſaid County of *Cumberland*, directed to himſelf and four others, requiring their Attendance as Jurymen to value an Acre of Land for a Mill on the *Monday* following; he further depoſed that the Note was not Mr *Proffer's* Writing, and that he was afterwards ſummoned by the Sheriff in Perſon: Mr *Moſby* being then called upon, depoſed that he never wrote or ſigned any ſuch Note.

Mr *Carter Harriſon* then depoſed that Mr *Pleaſants* deſired him, with ſome other Members of the Court, to meet with the Jury at the Place where Mr *Proffer* had petitioned for Leave to build the Mill, that they might be better Judges of the Matter from their own View than they could be from the Report of the Jury only: That the Depo-
13 nent accordingly attended, and a Diſpute ariſing about a particular Line to be viewed by the Jury, the Deponent told Mr *Proffer* he had not behaved juſtly on that Occaſion; and being aſked by Mr *Proffer* in what Inſtance he had acted wrong, the Deponent told him in writing Summonſes to the Jury, which Mr *Proffer* denied he had: That the Deponent then called upon *Joſeph Bondurant* to produce the Note he had received; which being ſhown, Mr *Proffer* ſaid the Sheriff had directed him ſo to do: That the Sheriff being within Hearing, denied he had given him any ſuch Directions; upon which Mr *Proffer* replied that he had aſked his Leave to write ſuch Summonſes, and as he had made him no Anſwer, he took his Silence for Conſent.

Mr *Thomas Turpin* then depoſed that he was preſent at the above Diſpute between Mr *Harriſon* and Mr *Proffer*, and his Evidence was to the ſame Effect with Mr *Harriſon's*.

William Maxy being next examined, depoſed that he received the like Note from Mr *Proffer*, deſiring him to meet the Sheriff at his Store on a Particular Day, to ſerve

as

as a Juryman on the ſame Occaſion; that he was very deſirous of being excuſed, both Parties being his Friends and Neighbours: That he was preſent on the Day appointed, and would have avoided being ſummoned, but that both Mr *Pleaſants* and Mr *Proffer* inſiſted on his ſerving as a Juryman, and that Mr *Pleaſants* kept him in Converſation until the Sheriff appeared and ſummoned him: He further declared that Mr *Pleaſants* expreſſed himſelf ſatiſfied with all the Jurymen but one, who he believed was conſiderably in Debt to Mr *Proffer*. The Deponent further declared that, as well as he remembers, he heard one *Shelton*, a Storekeeper of Mr *Proffer's*, who carried him the above mentioned Note, ſay that he himſelf wrote the ſaid Note, and by Miſtake put the Sheriff's Name to it inſtead of Mr *Proffer's*.

Reſolved, That the ſeveral Charges contained in the ſaid Information againſt the ſaid Mr *Proffer* are true.

Reſolved, That the ſaid Mr *Proffer* be expelled, and rendered forever incapable of ſitting or voting as a Member of this Houſe.

Ordered, That the Coſts of this Proſecution be paid by the ſaid Mr *Proffer*, and it is referred to the Committee of Privileges and Elections to ſettle and adjuſt the ſame.

Ordered, That an Addreſs be made to the Governour to order a new Writ to iſſue for electing a Burgeſs to ſerve in this preſent General Aſſembly for the County of *Cumberland*, in the Room of the ſaid Mr *Thomas Proffer;* and that Mr *Fleming* do wait on his Honour with the ſaid Addreſs.

A *Petition* of *Arthur Campbell*, ſetting forth that on the 14th of *September* 1758 he joined a Company of Rangers, under the Command of Capt. *John Dickenſon*, ſtationed at Fort *Young* in *Auguſta* County, where he was unfortunately captivated, and detained a Priſoner until *December* the 25th, 1760, and by that Means not returned in Capt. *Dickenſon's* Pay Roll; and praying the Conſideration of the Houſe.

Alſo a *Petition* of *Stephen Bankenſhip*, ſetting forth that he was a Soldier in the *Virginia* Regiment, and taken Priſoner by the *Delawar Indians*, near Fort *Ligonier*, in 1758, and remained in Captivity until *November* laſt; and praying the Conſideration of the Houſe, were ſeverally preſented to the Houſe and read.

Ordered, That the ſaid Petitions be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Mr *Bland* reported that the Perſons to whom the Petition of *Michæl Chriſtian* and 14
Robert Clark Jacob was referred had examined into the Allegations thereof, and found them to be true, and had come to the following Reſolution thereon; which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe, as follows:

Reſolved, That the ſaid Petitioners be exempted from paying the Duties of the Rum in the ſaid Petition mentioned.

A *Petition* of ſundry Inhabitants of the Town of *Richmond*, praying that no Hogs may be ſuffered to be raiſed in ſaid Town, or let run at large therein, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Ordered, That the Committee of Claims be diſcharged from proceeding any further on the Accounts of the Militia ordered out into actual Service, to them referred; and it is referred to the ſaid Committee to prepare and bring in a Bill For appointing Commiſſioners to examine, ſtate, and ſettle an Account of the Pay and Proviſions of the ſaid Militia.

And then the Houſe adjourned until Monday Morning 10 o'Clock.

Monday

Monday, the 6th of May, 5 Geo. III. 1765.

A *Petition* of *Abraham Smith*, Major of the Militia in the County of *Auguſta* ſetting forth the great Trouble and Expenſe he had been at by the frequent tranſmitting Expreſſes and Deſpatches to the Commandant of the ſaid County, to the great Hurt and Prejudice of his own Affairs.

Alſo a *Petition* of *George Rutlidge*, of the County of *Auguſta*, ſetting forth that he went out voluntarily after the *Indians*, with many others, in *September* laſt, and by them got much wounded, which has rendered him incapable of ſubſiſting by his own Means, and praying the Conſideration of this Houſe, were ſeverally preſented to the Houſe and read.

Ordered, That the ſaid Petitions be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Petition* of *Nathaniel Harriſon*, ſetting forth that his Father by his laſt Will and Teſtament, bearing Date the 15th of *December*, 1726, did deviſe unto your Petitioner a certain Tract of Land called *Coggin's Point* in *Prince George* County, and another Tract of Land called *Brandon* in the ſaid County, in Taille, and praying that an Act may paſs to dock the Entail of the ſaid Tract of Land called *Coggin's Point*, and the Money ariſing therefrom laid out in the Purchaſe of Slaves to be ſettled on the ſaid *Brandon* Tract, to deſcend to the ſame Uſes, was preſented to the Houſe and read.

Ordered, That a Bill be brought in agreeable to the Prayer of the ſaid Petition, and it is referred to Mr *Bland* to prepare and bring in the ſame.

A *Petition* of ſundry Inhabitants of the County of *Frederick*, praying that an Act may paſs for giving a greater Reward for killing Wolves in that and the neighboring Counties on the Frontiers of this Colony.

Ordered, That a Bill be brought in agreeable to the Prayer of the ſaid Petition, and it is referred to Mr *Mercer* and Mr *Francis Lee* to prepare and bring in the ſame.

Mr *Bland* preſented to the Houſe, according to Order, a Bill To dock the Entail of [1973] Acres of Land in the Pariſh of *Martin's Brandon* and County of *Prince George* whereof *Nathaniel Harriſon* if ſeized in Fee Taille, and for veſting the ſame in Truſtees in Fee Simple for the Uſes therein mentioned; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* of ſundry Inhabitants of the Northern and Southern Banks of the River *Appamattox*, complaining of the great Injury done them by the Mill Dams acroſs the River, as they entirely obſtruct the Paſſage of the Fiſh, and praying that an Act may paſs to cauſe the Owners or Proprietors of ſuch Mill Dams to make Locks through them for the Paſſage of Fiſh.

Alſo ſundry other *Petitions* in Oppoſition thereto, were ſeverally preſented to the Houſe and read.

Ordered, That the ſaid Petitions be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

A *Petition* of ſundry Inhabitants of the County of *Cumberland*, complaining of the Tobacco Pickers, and praying that an Act may paſs for the better regulating of them and their Fees, was preſented to the Houſe and read.

Ordered, That the ſaid Petition do lie on the Table.

On a *Motion* made,

The *Bill* To dock the Entail of [1973] Acres of Land whereof *Nathaniel Harriſon* is ſeized in Fee Taille, and for veſting the ſame in Truſtees in Fee Simple for the Uſes therein mentioned, was read a ſecond Time, and committed to the Members of *Prince George*, *Surry*, and *Charles City*.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Tuesday

Tuesday, the 7th of May. 5 Geo. III. 1765.

MR *Bland*, from the Committee to whom the Bill To dock the Entail of [1973] Acres of Land in the Parish of *Martin's Brandon*, in the County of *Prince George*, whereof *Nathaniel Harrison* is seized in Fee Taille, and for vesting the same in Trustees in Fee Simple for the Uses therein mentioned, was committed, reported that they had examined into the Allegations thereof and found them to be true, and had made some Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where they were again read, and agreed to by the House.

Ordered, That the said Bill with the Amendments be engrossed, and read a third Time.

Mr *Attorney*, from the Committee of Propositions and Grievances, presented to the House, according to Order, a Bill For clearing the great Falls of *James* River.

Also a *Bill* For the more effectual and Speedy Prosecution of Persons setting up Hedges or Stone Stops in the River *Pamunkey*, and for other Purposes therein mentioned.

Also a *Bill* For enlarging the Jurisdiction of the Court of Hustings in the Borough of *Norfolk*.

Also a *Bill* To oblige the Vestry of the Parish of *Nottoway* to refund to the Parish of *St. Luke* their Proportion of Money and Tobacco raised for repairing the Churches in the said Parish of *Nottoway* before the Division thereof. And the said Bills were severally read the first Time, and ordered to be read a second Time.

And also that the *Committee* of Propositions and Grievances, to whom the Bill For 16
opening and clearing a Road through *Swift Run* Gap over the Mountains in *Augusta* was committed, had made no Amendments thereto.

Ordered, That the said Bill be engrossed and read a third Time.

Mr *Bland*, from the Committee of Privileges and Elections, reported that the said Committee had had under their further Consideration the Petition of *Hampton Wade*, complaining of an undue Election and Return of Mr *Edward Booker* to serve as a Burgess in this present General Assembly for the County of *Halifax*, to them referred; and have agreed upon a Report, and come to a Resolution thereupon, as follow:

Your *Committee* beg Leave to inform the House that the Petitioner has not complied with their former Orders for taking Depositions of Witnesses in the Country on the Subject Matter of his said Petition, nor hath he appeared before your Committee to support the Allegations thereof; and therefore,

Resolved, That the said Mr *Edward Booker* is duly elected to serve as a Burgess in this present General Assembly for the said County of *Halifax*.

Mr *Bland*, from the Committee of Privileges and Elections, reported that the said Committee had, according to Order, stated and settled an Account for the Attendance of the Witnesses, and other Expenses, upon the Information against Mr *Thomas Proffer;* which he read in his Place, and then delivered in at the Table, where it was again read and agreed to by the House, as follows:

			lbs. Tobacco,		
To *Joseph Carrington* for travelling 100 Miles	And 2 Days Attendance each.		420 & Ferriages		3s.
To *Bennett Goode* 88 "			384 &	Do.	1s.
To *James Pleasants* 88 "			384 &	Do.	3s.
To *Thomas Turpin* 88 "			384 &	Do	3s.
To *Samuel Flournoy* 86 "			378 &	Do.	3s.
To *Joseph Bondurant* 88 "			384 &	Do.	3s.
To *Carter Henry Harrison* 110 "			450 &	Do.	3s.
To *George Carrington*, Jun 110 "			450 &	Do.	1s.
To *John Jude* 84 "			372 &	Do.	1s.
To *Robert Cawthron* 82 "			366 &	Do.	1s.
To *John Martin* 75 "			345 &	Do.	1s.
To *Anthony Martin* 82 "			366 &	Do.	1s.

To

To the Clerk of *Cumberland* for Copies of three Deeds..... 84
To the Clerk of *Henrico* for a Copy of an Order of Court..... 9

Pounds of Tobacco.....4776 & .....22s.

A *Petition* of *James Hubard*, and *Frances* his Wife, ſetting forth that the Petitioner *Frances* is Tenant in Taille of and in 840 Acres of Land in the Pariſh of *Brunſwick* in the County of *King George*, and the Petitioner *James* is ſeized of ſeveral Lots or Half Acres of Land in the City of *Williamſburg* in Fee Simple, and praying that an Act may paſs to dock the Entail of the ſaid Land in *King George*, and to ſettle the Lots in *Williamſburg*, and ſundry Slaves, in Lieu thereof, was preſented to the Houſe and read.

Ordered, That a Bill be brought in agreeable to the Prayer of the ſaid Petition, and it is referred to Mr *Wythe* to prepare and bring in the ſame.

Mr *Edmund Pendleton*, from the Committee for Courts of Juſtice, reported that they had had under their Conſideration the Bill For further continuing the Act entitled *An Act*[1] *for the better regulating and collecting certain Officers Fees, and for other Purpoſes therein mentioned*, and that they had made ſome Amendments thereto; which
17 he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

Ordered, That Mr *Robert Bolling*, Jun. be added to the Committee of Propoſitions and Grievances.

Mr *Wythe* preſented to the Houſe, according to Order, a Bill To veſt certain Lands therein mentioned in *James Hubard*, and ſettling other Lands and Slaves in Lieu thereof; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

Ordered, That Mr *Joſeph Gray* be added to the Committee of Privileges and Elections.

A *Petition* of ſundry Merchants on *York* and *James* Rivers, ſetting forth that the Delays in the Courts of Juſtice in a great Meaſure is occaſioned by the non-attendance of the Magiſtrates, and praying that an Act may paſs to oblige the Perſon caſt in any Suit to depoſit the Sum of 10 Shillings in the Hands of the Clerk, to be equally divided among the ſitting Juſtices.

Alſo a *Petition* of ſundry Perſons employed in the Leather Manufacture, praying that an Act may paſs to enable them to export out of this Colony, Duty free, ſuch Hides as they ſhall or may hereafter import hither, were preſented to the Houſe and read.

Ordered, That the ſaid Petitions be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinions thereon, to the Houſe.

On a *Motion* made,

The *Bill* For clearing the great Falls of *James* River was read a ſecond Time.

Ordered, That the ſaid Bill be committed to the Committee of Propoſitions and Grievances.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Wednesday, the 8th of May, 5 Geo. III. 1765.

A *Petition* of *Rice Jones*, ſetting forth that he is ſeized as Tenant in Fee Taille, under the Will of *Rice Jones* deceaſed, of and in a valuable Tract of Land upon *Rappahannock* River, in the County of *Eſſex*, and alſo of about 800 Acres of Land in the Pariſh of *Chriſt's Church*, in the County of *Middleſex*, and praying that an Act may paſs to veſt the ſaid 800 Acres of Land in *Richard Corbin*, Eſq; to whom he hath diſpoſed of the ſame, in Fee Simple, and for ſettling Slaves of greater Value in Lieu thereof to the ſame Uſes, was preſented to the Houſe and read.

Ordered,

[1] Hening, V, p. 326.

Ordered, That a bill be brought in agreeable to the Prayer of the ſaid Petition, and it is referred to Mr *John Lee* to prepare and bring in the ſame.

Mr *Cary*, from the Committee of Claims, reported that the ſaid Committee had had under their Conſideration ſeveral Petitions to them referred, and had come to ſeveral Reſolutions thereupon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, with an Amendment, as follow:

Reſolved, That *George Rutlidge* ought to be allowed the Sum of £35 for his preſent Relief, and to enable him to pay the Surgeon's Bill, and the Sum of £10 per Annum during 18
his Diſability cauſed by the Wound he received in the Service of this Colony.

Reſolved, That *Arthur Campbell* ought to be allowed by the Publick the Sum of £41 for his Pay as a Ranger, during his Captivity by the Enemy.

Reſolved, That *Stephen Blankenſhip* ought to be allowed by the Publick the Sum of £75 for his Pay as a Soldier, during his Captivity by the Enemy.

Reſolved, That *John Watts* and *William Young*, Inſpectors at *Jordan's* Warehouſe, ought to be allowed the Sum of £17. 4s by the Publick, for two Hogſheads of Tobacco ſtolen out of the ſaid Warehouſe.

Reſolved, That the Petition of Major *Abraham Smith*, to be allowed for his Service in draughting and ordering out the Militia, be rejected.

An *Account* of *Alexander Sayer*, for Waggonage for the Militia, was preſented to the Houſe and read.

Ordered, That the ſaid Account be referred to the Conſideration of the Committee of Claims, that they examine into the Allegations thereof, and report the ſame, with their Opinion thereupon, to the Houſe.

On a *Motion* made,

Ordered, That a Bill be brought in To amend the Act for inſpecting Pork, Beef, Flower, Tar, Pitch, and Turpentine; and it is referred to the Committee of Trade to prepare and bring in the ſame.

A *Petition* of *Harry Beverley*, ſetting forth that he is ſeized as Tenant in Fee Taille, under the Will of his Father *Robert Beverley*, Eſq; of a large Tract of Land called *Octonia*, in the County of *Orange*, and is alſo ſeized of divers other entailed Lands, under the ſaid Will, and is poſſeſſed of but few Slaves to cultivate the ſame, and praying that an Act may paſs to ſell Part of the ſaid Lands, and to lay out the Money in the Purchaſe of Slaves, to be ſettled to the ſame Uſes, was preſented to the Houſe and read.

Ordered, That a Bill be brought in agreeable to the Prayer of the ſaid Petition, and it is referred to Mr *Edmund Pendleton* to prepare and bring in the ſame.

On a *Motion* made,

Ordered, That a Bill be brought in To amend the Act for raiſing a Publick Levy, and for other Purpoſes therein mentioned; and it is referred to the Committee of Claims to prepare and bring in the ſame.

A *Petition* of Mr *Henry Allen*, and others, praying that the ſaid *Allen* may have Liberty to build a Bridge over the South Branch of *Back* River, and to be allowed a reaſonable Toll from all Perſons paſſing the ſaid Bridge, that he may have one Acre of Land veſted in him on the other Side of the Water, and that he may have Liberty to build a Fulling and Griſt Mill at the ſame Place.

Alſo a *Petition* of ſundry Inhabitants of the Fork of *Nottoway*, in *Amelia* County, deſiring that they may be added to *Cumberland* Pariſh, in *Lunenburg* County, as they are at preſent very inconveniently ſituated to their County Court and General Muſters.

Alſo a *Petition* from ſundry Inhabitants of *Lunenburg*, in Oppoſition thereto, were everally preſented to the Houſe and read.

Ordered, That the ſaid Petitions be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereupon, to the Houſe.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that the Committee had had under their Conſideration divers propoſitions and Petitions from 19
ſeveral

ſeveral Counties to them referred, and had come to ſeveral Reſolutions thereupon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, with ſome Amendments, as follow:

Reſolved, That ſo much of the Petition of ſundry Inhabitants on the Southern and Northern Banks of *Appamattox* River, complaining that the Paſſage of Fiſh up the ſaid River is ſtill obſtructed by the Mill Dams built acroſs the ſame, notwithſtanding the Laws now in Force to prevent ſuch Obſtructions, and praying that the Owners and Proprietors of ſuch Mills may be obliged to erect Locks through their reſpective Dams, not leſs than twenty Feet wide, and that their Foundations may be level with the Bed of the River, be rejected.

Reſolved, That the Reſidue of the ſaid Petition, praying that the Laws now in Force, for obliging the Owners and Proprietors of ſuch Mills to leave Openings or Slopes in their Mill Dams, ſufficient for the paſſage of Fiſh, may be amended, is reaſonable.

Reſolved, That the ſeveral Petitions of ſundry Inhabitants of the Counties of *Prince George*, *Dinwiddie*, *Cheſterfield*, and *Amelia*, in Oppoſition to the ſaid Petition, be rejected.

Reſolved, That the Petition of divers Inhabitants on the ſaid River of *Appamattox*, praying that they may be allowed to ſet Hedges acroſs the ſaid River for catching Fiſh, and that the Owners of Mills thereon may be obliged to keep a clear and open Paſſage through their Dams three Months in every Year, be rejected.

Reſolved, That the Petition of ſundry Inhabitants of the County of *Amherſt*, praying that quarterly Courts may be eſtabliſhed therein, is reaſonable.

Reſolved, That the Petition of *Thomas Shepherd*, praying that a Ferry may be eſtabliſhed from his Lots in the Town of *Mecklenburg*, in the County of *Frederick*, over *Potowmack* River, to his Land oppoſite thereto, in the Province of *Maryland*, is reaſonable.

Reſolved, That the Petition of the Inhabitants of the Town of *Richmond*, praying that an Act may paſs to reſtrain the raiſing Hogs, and ſuffering them to run at large within the Limits of the ſaid Town, is reaſonable.

Reſolved, That the Memorial and Petition of ſundry Merchants and Traders in this Country, praying that the Time allowed by Law for proving Book Debts may be extended, and the Method of ſuch Proof altered, and that conſiderable Intereſt, by Way of Damages, may be laid upon Sheriffs and other Officers who neglect or refuſe to pay Money levied by them on Executions, be rejected.

Reſolved, That ſo much of the Petition of ſundry Merchants and others, propoſing that the Plaintiffs in every Suit (except by Petition) ſhould depoſit the Sum of 10s. to be divided amongſt the ſitting Juſtices, and taxed upon Recovery in the Bill of Coſts, be rejected.

Reſolved, That the Reſidue of the ſaid Petition, praying that the Laws relating to the Sheriffs Commiſſions for Debts, due from inſolvent Debtors taken in Execution, may be explained, is reaſonable.

Ordered, That the Committee of Propoſitions do prepare and bring in a Bill, or Bills, purſuant to the 2d, 5th, 6th, 7th, and 10th Reſolutions.

The *Order* of the Day being read for the Houſe again to reſolve itſelf into a Committee on the Bill For amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms, the Houſe immediately reſolved itſelf into the ſaid Committee; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the ſaid Committee had had the ſaid Bill under their further Conſideration, but not having Time to go through the ſame, had directed him to move for Leave to ſit again.

Reſolved, That this Houſe will again reſolve itſelf into a Committee on the ſaid Bill on *Monday* next.

The *Order* of the Day being read for the Houſe to reſolve itſelf into a Committee on the Bill For amending the Act entitled *An Act[1] for directing the Trial of Slaves committing Capital Crimes, and for the more effectual puniſhing Conſpiracies and Inſurrections of them*

[1] Hening, VI, p. 104.

them, and for the better Government of Negroes, Mulattoes, and Indians, bond or free, the Houſe immediately reſolved itſelf into the ſaid Committee, and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the ſaid Committee had had the ſaid Bill under their further Conſideration, but not having Time to go through the ſame, had ordered him to move for Leave to ſit again.

Reſolved, That this Houſe will again reſolve itſelf into a Committee on the ſaid Bill Tomorrow.

A *Petition* of the Innholders of *Williamſburg*, *Norfolk*, *Hampton*, *York*, and *Glouceſter*, praying that an Act may paſs to enlarge the Credit given by Ordinary Keepers to Perſons reſiding in their Counties;

And the Queſtion being put that the ſaid Petition be referred to a Committee,

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Thurſday, the 9th of May, 5 Geo. III. 1765.

MR *Attorney*, from the Committee of Propoſitions and Grievances, preſented to the Houſe, according to Order, a Bill To oblige the Owners of Mills, Hedges, or other Stops in the River *Little Roanoke*, and the north Branch of *James* River, to leave Openings or Slopes therein for the Paſſage of Fiſh.

Alſo a *Bill* To prevent the raiſing of Hogs, and ſuffering them to run at large, in the Town of *Richmond;* and the ſaid Bills were ſeverally read the firſt Time, and ordered to be read a ſecond Time.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To empower the Treaſurer to demand and receive the Money due from the Province of *Pennſylvania* to this Colony, and it is referred to Mr *Attorney* to prepare and bring in the ſame.

A *Petition* of *William Winſton*, Jun. ſetting forth that a Company of Militia was ſtationed on his Land, as being thought a proper Place to build a Fort and other Buildings, through which he ſuſtained Damages to the Amount of fifty Pounds, and praying the Conſideration of this Houſe.

Alſo a Petition of *John Smith*, ſetting forth that he was a Captain of a Company of Rangers on the Frontiers in 1756, was taken Priſoner, and remained in Captivity until 1758, and praying that he may be allowed his Pay during his Captivity.

Alſo a *Petition* of *John Patrick*, praying to be paid for a Horſe impreſſed into the Service of the Colony in the Year 1761, and appraiſed to £12, were ſeverally preſented to the Houſe and read.

Ordered, That the ſaid Petitions be referred to the Conſideration of the Committee 21
of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereupon, to the Houſe.

A *Petition* of *Philemon Halcomb*, ſetting forth that in the Year 1763 he accounted with the Treaſurer for Taxes of 11 Tithables, which he never received, the Perſons from whom he was to collect the ſame proving Inſolvent, and praying the Conſideration of this Houſe, was preſented and read.

Ordered, That the ſaid Petition be referred to the Committee appointed to examine the Treaſurer's Accounts; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Mr *Pendleton* preſented to the Houſe, according to Order, a Bill To dock the Entail of certain Lands whereof *Harry Beverley* is ſeized, and for ſettling Slaves to be purchaſed in Lieu thereof to the ſame Uſes; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

Mr *John Lee* preſented to the Houſe, according to Order, a Bill To veſt certain Lands whereof *Rice Jones* is ſeized in Fee Taille in the Hon. *Richard Corbin*, Eſq; in Fee Simple

Simple, and for ſettling Slaves to be annexed to other entailed Lands in Lieu thereof; and the ſaid Bill was read the firſt Time and ordered to be read a ſecond Time.

A *Petition* of *Abraham Hite*, praying to be allowed ſome Conſideration for his Trouble as County Lieutenant of *Hampſhire* during the War with the *Indians*, was preſented to the Houſe and read;

And the Queſtion being put that the ſaid Petition be referred to a Committee,

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

Reſolved, That Mr *Thomas Rutherford* be paid his Expenſes for the Attendance of his Witneſſes before the Commiſſioners in the Country on the Information exhibited by him againſt Col. *Adam Stephen* by the Publick, and it is referred to the Committee of Propoſitions and Grievances to ſettle the ſame.

On a *Motion* made,

Ordered, That it be an Inſtruction to the Committee appointed to bring in a Bill For appointing Commiſſioners to ſettle Militia Accounts, to receive a Clauſe or Clauſes to empower the ſaid Commiſſioners to ſettle and allow any Claims for Proviſions furniſhed the Volunteers and Captives on their Return from *Pittſburg*.

A *Petition* of *Thomas Railey*, of the County of *Hanover*, ſetting forth that as *Shadrach Vaughan*, Under Sheriff of the County of *Henrico*, was removing a Priſoner to the Publick Gaol he impreſſed a valuable Mare of the Petitioner; and the ſaid *Vaughan*, without giving the Petitioner Notice, got the ſaid Mare appraiſed, by Perſons who knew nothing of her Quality, to ſix Pounds, whereas the Mare was then worth a much greater Sum; and praying the Conſideration of this Houſe, was preſented and read.

Reſolved, That the further Conſideration of the ſaid Petition be referred to the next Seſſion of Aſſembly.

Mr *Mercer*, from the Perſons appointed, preſented to the Houſe according to Order, a Bill For increaſing the Rewards for killing of Wolves, to be paid by the reſpective Counties wherein the Services ſhall be performed; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

A *Petition* of *John Young*, ſetting forth that he was an Inhabitant of the Frontier
22 of *Auguſta*, and was forced ſome Time in *May* laſt to leave his Habitation for fear of the Enemy, who killed his Stock, conſiſting of 7 Head of Cattle, and 4 Horſes; and praying the Conſideration of this Houſe, was preſented and read;

And the Queſtion being put that the ſaid Petition be referred to a Committee,

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

A *Bill* To veſt certain Lands therein mentioned in *James Hubard*, and ſettling other Lands and Slaves in Lieu thereof; was read a ſecond Time, and committed to Mr *Wythe*, Mr *Attorney*, and the Members of *York*, *Richmond*, and *Stafford*.

A *Petition* of the Miniſter and Veſtry of the Pariſh of *St. Mark*, in the County of *Culpeper*, praying that an Act may paſs to empower them to ſell the Glebe Land of the ſaid Pariſh, and to purchaſe other Lands more convenient for a Glebe.

Alſo a *Petition* of ſundry Inhabitants of the ſaid Pariſh and County in Oppoſition thereto, were preſented and read.

Reſolved, That the further Conſideration of the ſaid Petition be referred to the next Seſſion of Aſſembly.

A *Bill* To oblige the Veſtry of the Pariſh of *Nottoway* to refund to the Pariſh of *St. Luke* their Proportion of Money and Tobacco raiſed for repairing the Churches in the ſaid Pariſh of *Nottoway* before the Diviſion thereof, was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Bill* For the more effectual and ſpeedy Proſecution of Perſons ſetting up Hedges or Stone Stops in the River *Pamunkey*, and for other Purpoſes therein mentioned, was read a ſecond Time.

Ordered, That the ſaid Bill be committed to the Committee of Propoſitions and Grievances.

The

The *Order* of the Day being read for the Houſe to take into Conſideration a Bill For amending the Act entitled *An Act*[1] *for directing the trial of Slaves committing Capital Crimes, and for the more effectual puniſhing Conſpiracies and Inſurrections of them, and for the better Government of Negroes, Mulattoes, and* Indians, *bond or free*, the Houſe immediately reſolved itſelf into the ſaid Committee; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the ſaid Committee had had the ſaid Bill under their Conſideration, but not having Time to go through the ſame, had ordered him to move for Leave to ſit again.

Reſolved, That this Houſe will again reſolve itſelf into the ſaid Committee Tomorrow.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Friday, the 10th of May, 5 Geo. III. 1765.

A *Petition* of *Iſaac Perkins*, ſetting forth that one *Andrew Mealy* leaſed a large Dwelling Houſe of one *Thomas Lemon* for the Conſideration of £35 per Annum, for the Payment of which Rent your Petitioner became Security to the ſaid *Lemon*, and one Year before the Expiration of the ſaid Leaſe Col. *Byrd* took the ſaid Houſe (being in good Repair) as an Hoſpital for the Uſe of the Regiment under his Command, and that when the ſame was given up it was much out of Repair, and the ſaid *Mealy* dying Inſolvent, your Petitioner has been obliged to pay the Rent, and has been repairing the ſaid Houſe one Year ſince, and praying to be reimburſed the Rent for 23
the ſaid two Years.

Alſo a *Petition* of *Simon Powell*, ſetting forth that he was a Serjeant in a Company of Rangers under the Command of Capt. *Hog*, and that by the hard Duty, and long Marches acroſs the Mountains and Water Courſes, is thereby rendered infirm, and not able to ſubſiſt by his own Means; and praying the Conſideration of this Houſe, were ſeverally preſented to the Houſe and read.

Ordered, That the ſaid Petitions be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame with their Opinion thereon, to the Houſe.

A *Bill* For increaſing the Rewards given for killing of Wolves, to be paid by the reſpective Counties wherein the Services ſhall be performed, was read a ſecond Time, and committed to Mr *James Mercer*, and Mr *Thomas Harriſon*.

A *Meſſage* from the Governour by Mr *Walthoe*,

That his Honour had juſt received his Majeſty's Repeal of the Act for diſpoſing of ſundry Lots in the City of Williamſburg, *alſo a Letter from the Hon. Major General* Gage, *and another from Col.* Bouquet, *and had directed him to deliver the ſame to this Houſe; and the Letters being read,*

Ordered, That the ſaid Letters do lie on the Table.

A *Memorial* of the Volunteers of the *Virginia* Regiment, ſetting forth that they voluntarily did join the Troops under Col. *Bouquet* on the late *Ohio* Expedition, and did find themſelves with Neceſſaries during the Expedition.

Alſo a *Petition* of Capt. *Charles Lewis*, *Walter Cunningham*, and *Alexander M'Clanachan*, praying to be paid for acting in his Majeſty's Service under the Command of Col. *Bouquet*, and the Men under their Command, were ſeverally preſented to the Houſe and read.

Reſolved, That this Houſe will reſolve itſelf into a Committee on the ſaid Memorial and Petition Tomorrow.

Mr *Pendleton*, from the Committee for Courts of Juſtice, to whom the Bill For allowing the full Fees to which the Lawyers practiſing in the ſeveral Courts of this Colony are entitled

[1] Hening, VI, p. 104.

entitled, in particular Caſes therein mentioned, to be taxed, upon Recovery, in the Bill of Coſts, was committed, reported that the Committee had had the ſame under their Conſideration, and had made ſeveral Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where they were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

A *Bill* For enlarging the Juriſdiction of the Court of Huſtings in the Borough of *Norfolk*, was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

Mr *Cary*, from the Committee of Claims, preſented to the Houſe, according to Order, a Bill To amend the Act for raiſing a Publick Levy, and for other Purpoſes therein mentioned; which was read the firſt Time, and ordered to be read a ſecond Time.

Mr *James Mercer*, from the Perſons to whom the Bill For increaſing the Reward given for killing Wolves, to be paid by the reſpective Counties wherein the Services ſhall be performed, was committed, reported that they had made ſeveral Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where they were again twice read, and agreed to by the Houſe with ſome Amendments.

24 *Ordered*, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, preſented to the Houſe, according to Order, a Bill For altering the Method of holding Courts in the County of *Amherſt*.

Alſo a *Bill* For eſtabliſhing a Ferry from the Land of *Thomas Shepherd* at *Mecklenburg* in *Frederick* County to *Maryland*; and the ſaid Bills were read the firſt Time, and ordered to be read a ſecond Time.

On a *Motion* made,

Reſolved, That a Committee be appointed to conſiſt of the following Perſons, *viz. Peyton Randolph*, *George Wythe*, *John Randolph*, *Benjamin Waller*, and *Robert Carter Nicholas*, Eſqrs; any three or more of whom to be ſufficient to act, to collect the Publick Acts of Aſſembly of *Virginia* which ſhall be in Force at the End of this Seſſion of Aſſembly, and to agree with ſome Perſon to make a proper Index to the ſame, and alſo to agree with a Printer for printing 1200 Copies, to be neatly bound in Books, with the Arms of *Virginia* ſtamped on each, and to deliver one to the Governour or Commander in Chief for the Time being, one to each of the Members of his Majeſty's Council, and the Houſe of Burgeſſes, one to the Clerk of the General Aſſembly, one to the Clerk of the Houſe of Burgeſſes, one to the Clerk of the Secretary's Office, and one to each County Court Clerk for the Uſe of the Court of his County, and the reſt among the Juſtices of the ſeveral Counties, not being Burgeſſes, as the Treaſurer ſhall direct.

The *Order* of the Day being read for the Houſe again to reſolve itſelf into a Committee on the Bill For amending the Act entitled *An Act*[1] *for directing the Trial of Slaves committing Capital Crimes, and for the more effectual puniſhing Conſpiracies and Inſurrections of them, and for the better Government of Negroes, Mulattoes, and Indians, bond or free*, the Houſe immediately reſolved itſelf into the ſaid Committee; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the ſaid Committee had had the ſaid Bill under their further Conſideration, but not having Time to go through the ſame, had ordered him to move for Leave to ſit again.

Reſolved, That this Houſe will again reſolve itſelf into a Committee on the ſaid Bill on *Monday* next.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Saturday

[1] Hening, VI, p. 104.

Saturday, the 11th of May. 5 Geo. III. 1765.

A *Petition* of the Inſpectors of *Boyd's Hole* Warehouſe, praying that they may be allowed for five Hogſheads of Tobacco, ſtolen from the ſaid Warehouſe, in the Years 1762, 1763, and 1764.

Alſo a *Petition* of *Job Parker*, praying that he may be allowed for a Horſe impreſſed by Capt. *Polſon* ſome Time in the Month of *April*, before General *Braddock's* Defeat.

Alſo ſundry Militia Accounts.

Ordered, That the ſaid Petitions and Accounts be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereupon, to the Houſe.

A *Petition* of *Lenox* and *Scott*, praying to be paid two Accounts of *William Harrie* and *William M'Cormack*, the former amounting to £4. 5. 10, the latter to £4. 4. 9, both which Accounts were credited by Capt. *Robert Pearif's* Certificates, for Services done to the Colony by the ſaid *Harrie* and *M'Cormack* as Soldiers in the Year 1759.

Alſo a *Petition* of *John Dickenſon* of *Auguſta*, praying to be allowed for building a Fort on his Plantation, for the Defence of a Detachment of Militia ſtationed there, were ſeverally preſented to the Houſe and read; 25

And the Queſtion being put that the ſaid Petitions be referred to a Committee,

It paſſed in the Negative.

Reſolved, That the ſaid Petitions be rejected.

An engroſſed *Bill* entitled *An Act*[1] *for allowing the full Fees to which the Lawyers practiſing in the ſeveral Courts of this Colony in particular Caſes therein mentioned, are entitled to be taxed upon Recovery in the Bill of Coſts*, was read a third Time.

Reſolved, That the Bill do paſs.

Ordered, That Mr *Edmund Pendleton* do carry it up to the Council for their Concurrence.

An engroſſed *Bill* entitled *An Act*[2] *for opening and clearing a Road through* Swift Run *Gap over the Mountains, in* Auguſta, was read a third Time and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry it up to the Council for their Concurrence.

An engroſſed *Bill* entitled *An Act*[3] *for further continuing the Act entitled an Act for the better regulating and collecting certain Officers Fees, and for other Purpoſes therein mentioned*, was read a third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Edmund Pendleton* do carry it up to the Council for their Concurrence.

A *Bill* For altering the Method of holding Courts in the County of *Amherſt*, was preſented to the Houſe and read a ſecond Time.

Ordered, That the ſaid Bill be committed to the Committee of Propoſitions and Grievances.

Mr *Attorney* preſented to the Houſe according to Order, a Bill For the Sale of the uſeleſs Military Stores in the Magazine in *Williamſburg*, and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

A *Bill* To veſt certain Lands whereof *Rice Jones* is ſeized in Fee Taille in the Hon. *Richard Corbin*, Eſq; in Fee Simple, and for ſettling Slaves to be annexed to other entailed Lands in Lieu thereof, was read a ſecond Time, and Committed to Mr *John Lee*, Mr *Upſhaw*, and Mr *John Pendleton*.

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[1] Hening, VIII, p. 184. [2] *Ibid.*, VIII, p. 152. [3] *Ibid.*, VIII, p. 186

A *Bill* To dock the Entail of certain Lands whereof *Harry Beverley* is ſeized, and for ſettling Slaves to be purchaſed in Lieu thereof to the ſame Uſes, was read a ſecond Time, and committed to Mr *Edmund Pendleton*, and the Members of *Orange* and *Culpeper*.

A *Bill* To oblige the Owners of Mills, Hedges, or other Stops, in the River *Little Roanoke*, and the north Branch of *James* River, to leave Openings or Slopes therein for the Paſſage of Fiſh, was read a ſecond Time.

And the Queſtion being put that the ſaid Bill be engroſſed and read a third Time,

It paſſed in the Negative.

Reſolved, That the ſaid Bill be rejected.

On a *Motion* made,

Ordered, That it be an Inſtruction to the Committee of Propoſitions and Grievances, to whom the Bill To oblige the Owners of Mills, Hedges, or Stone Stops, in the River
26 *Little Roanoke*, and the north Branch of *James* River, to leave Openings or Slopes therein, was committed, to extend the Remedies of that Bill to *Little Roanoke*, *Nottoway*, *Meherrin*, north Branch of *James* River, and *Rappidan*, that they prepare and bring in a Bill for the ſame.

An engroſſed *Bill* entitled *An Act*[1] *to oblige the Veſtry of the Pariſh of* Nottoway *to refund to the Pariſh of* St. Luke *their Proportion of Money and Tobacco raiſed for repairing the Churches in the ſaid Pariſh of* Nottoway *before the Diviſion thereof*, was read a third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Joſeph Gray* do carry it up to the Council for their Concurrence.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To empower the Veſtry of the Pariſh of *Bruton* to ſell certain Lots in the City of *Williamſburg*, and it is referred to Mr *Edmund Pendleton* to prepare and bring in the ſame.

A *Bill* For eſtabliſhing a Ferry from the Land of *Thomas Shepherd* at *Mecklenburg*, in *Frederick* County, to *Maryland*, was read a ſecond Time, and ordered to be engroſſed.

A *Bill* To prevent the raiſing of Hogs and ſuffering them to run at large in the Town of *Richmond*, was read a ſecond Time, and committed to Mr *Bradley* and Mr *Mercer*.

Ordered, That it be an Inſtruction to the ſaid Committee to add the Town of *Portſmouth*.

The *Order* of the Day being read for the Houſe to take into Conſideration the Memorial of the Volunteers and the Petition of *Charles Lewis*.

Reſolved, That this Houſe will reſolve itſelf into a Committee on the ſaid Memorial on *Tueſday* next.

A *Bill* To amend an Act for raiſing a Publick Levy and for other Purpoſes therein mentioned, was read the ſecond Time.

Ordered, That the ſaid Bill be committed to Mr *Thomas Walker*, Mr *Richard Lee*, Mr *John Wilſon*, Mr *Hartwell Cocke*, Mr *Edward Champion Travis*, Mr *Iſrael Chriſtian*, Mr *John Weſt*, Mr *Willis Riddick*, Mr *John Lee*, Mr *William Bradley*, Mr *John Upſhaw*, Mr *John Harmanſon*, Mr *David Maſon*, Mr *James Littlepage*, Mr *Thomas Parramore*, Mr *Thomas Rutherford*, Mr *James Hamilton*, Mr *Joſias Payne*, Mr *Thomas Harriſon*, Mr *Thomas Marſhall*, and Mr *Edmund Pendleton*.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Monday, the 13th of May, 5 Geo. III. 1765.

A *Petition* of *Thomas Godwin* and *John Reed*, Inſpectors at *Milner's* Warehouſes, in *Nanſemond* County, praying that their Salaries may be augmented.

Ordered, That the ſaid Petition do lie on the Table.

Mr *Pendleton*, from the Committee to whom the Bill To dock the Entail of certain Lands whereof *Harry Beverley*, Gent. is ſeized, and for ſettling Slaves to be purchaſed in Lieu thereof to the ſame Uſes, was committed, reported that they had examined

[1] Hening, VIII, p. 177.

ined into the Allegations thereof, and found them to be true, but had made no Amendments thereto.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

Mr *John Lee*, from the Committee to whom the Bill To veſt certain Lands whereof *Rice Jones* is ſeized in Fee Taille in the Hon. *Richard Corbin*, Eſq; in Fee Simple, and for ſettling Slaves to be annexed to other entailed Lands in Lieu thereof, was committed, 27
reported that they had examined into the Allegations thereof, and found them to be true, but had made no Amendments thereto.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For directing the Collection of the Land Tax in the County of *Culpeper*, in Arrear for the Year 1759, and for other Purpoſes therein mentioned; and it is referred to Mr *Pendleton* to prepare and bring in the ſame.

An engroſſed *Bill* entitled *An Act*[1] *for increaſing the Rewards given for killing of Wolves, to be paid by the reſpective Counties wherein the Services ſhall be performed*, was read a third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Mercer* do carry it up to the Council for their Concurrence.

The Houſe proceeded to the Conſideration of the Amendments propoſed by the Council to the Bill entitled *An Act*[2] *to enable Tenants in Taille to make Leaſes of their Lands*, and the ſame being read were agreed to.

Ordered, That Mr *Edmund Pendleton* do go up to the Council and acquaint them therewith.

An engroſſed *Bill* entitled *An Act*[3] *to dock the Entail of 1973 Acres of Land in the Pariſh of* Martin's Brandon, *and County of* Prince George, *whereof* Nathaniel Harriſon *is ſeized in Fee Taille, and for veſting the ſame in Truſtees in Fee Simple, for the Uſes therein mentioned*, was read a third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry it up to the Council for their Concurrence.

A *Meſſage* from the Governour by Mr *Walthoe*,

That his Honour had juſt received a Letter from Col. Andrew Lewis, *acquainting him of the ill Conduct of ſome of the Inhabitants of* Auguſta, *in killing ſome of the* Cherokee *Nation of* Indians, *which he directed him to deliver to this Houſe, and the ſame was read.*

Ordered, That the ſaid Letter do lie on the Table.

On a *Motion* made,

Reſolved, That the killing the *Cherokee* Indians, as is mentioned in a Letter of Col. *Andrew Lewis*, to his Honour the Governour, which he has been pleaſed to lay before this Houſe, is a flagrant Violation of the Treaties of Peace eſtabliſhed and ſubſiſting between his Majeſty and the ſaid *Indians*, and of the Laws of this Colony, and that the Offenders ought to be proſecuted with the utmoſt Severity.

Reſolved, That an Addreſs be preſented to the Governour, to deſire that he will be pleaſed to offer a conſiderable Reward for apprehending the ſaid Aſſaſſins, that he will cauſe the Reſolution of this Houſe to be tranſmitted to the *Cherokees*, and aſſure them that every proper Step will be taken to bring the Offenders to Juſtice.

Ordered, That Mr *Attorney* do wait on his Honour with the ſaid Addreſs.

The *Order* of the Day being read for the Houſe again to reſolve itſelf into a Committee on the Bill For amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms.

Reſolved, That this Houſe will again reſolve itſelf into a Committee on the ſaid Bill To-morrow.

The *Order* of the Day being read for the Houſe again to reſolve itſelf into a Com- 28
mittee on the Bill For amending the Act entitled *An Act*[4] *for directing the Trial of Slaves committing*

[1] Hening, VIII, p. 147. [2] *Ibid.*, VIII, p. 183. [3] *Ibid.*, VIII, p. 174. [4] *Ibid.*, VI, p. 104.

committing Capital Crimes, and for the more effectual puniſhing Conſpiracies and Inſurrections of them, and for the better Government of Negroes, Mulattoes, and Indians, *bond or free*, the Houſe immediately reſolved itſelf into a Committee on the ſaid Bill; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had gone through the ſaid Bill, and had made ſome Amendments thereto which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

An *Account* of *Benjamin Powell* for repairing the Publick Gaol, was preſented to the Houſe and read.

Reſolved, That he be paid the Sum of £388. 13. 8 Halfpeny, for repairing the Publick Gaol.

Ordered, That Mr *Attorney* do carry it up to the Council for their Concurrence.

An engroſſed *Bill* entitled *An Act*[1] *for eſtabliſhing a Ferry from the Land of* Thomas Shepherd *at* Mecklenburg, *in* Frederick *County*, *to* Maryland, was read a third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry it up to the Council for their Concurrence.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Tuesday, the 14th of May, 5 Geo. III. 1765.

A *Bill* For the Sale of the uſeleſs military Stores in the Magazine in *Williamſburg*, was read a ſecond Time, and committed to Mr *Attorney* and Mr *Mercer*.

A *Petition* of ſundry Inhabitants of the Pariſh of *Truro*, praying a more equal Diviſion of the ſaid Pariſh.

Alſo ſeveral *Petitions* in Oppoſition thereto, were preſented to the Houſe and read.

Ordered, That the ſaid Petitions be referred to the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereupon, to the Houſe.

A *Meſſage* from the Council by Mr *Walthoe*,

That they have agreed to the Bill *entitled* An Act[2] for opening and clearing a Road through *Swift Run* Gap, over the Mountains in *Auguſta*.

Alſo to the Bill *entitled* An Act[3] for further continuing the Act entitled An Act for the better regulating and collecting certain Officers Fees, and for other Purpoſes therein mentioned.

Alſo to the Bill *entitled* An Act[4] to oblige the Veſtry of the Pariſh of *Nottoway* to refund to the Pariſh of *St. Luke* their Proportion of Money and Tobacco raiſed for repairing the Churches in the ſaid Pariſh of *Nottoway* before the Diviſion thereof.

Alſo to the Bill *entitled* An Act[5] for increaſing the Rewards given for killing Wolves, within certain Counties, to be paid by the reſpective Counties wherein the Services ſhall be performed.

29 *Alſo a* Bill *entitled* An Act[6] for allowing the full Fees to which the Lawyers practiſing in the ſeveral Courts of this Colony are entitled in particular Caſes therein mentioned, to be taxed upon Recovery in the Bill of Coſts.

Mr *Walker*, from the Perſons to whom the Bill To amend an Act for raiſing a Publick Levy, and for other Purpoſes therein mentioned, was committed, reported that they had examined into the Allegations thereof, and found them to be true, and had made ſome Amendments thereto; which he read in his Place and then delivered the Bill with the Amendments in at the Table, where they were again twice read, and agreed to by the Houſe, with ſome Amendments.

Ordered

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[1] Hening, VIII, p. 146.
[2] *Ibid.*, VIII, p. 152.
[3] *Ibid.*, VIII, p. 186.
[4] *Ibid.*, VIII, p. 177.
[5] *Ibid.*, VIII, p. 147.
[6] *Ibid.*, VIII, p. 184.

Ordered, That the ſaid Bill with the Amendments, as agreed to, be engroſſed, and read a third Time.

A *Meſſage* from the Council by Mr *Walthoe*,

That they have agreed to the Bill *entitled* An Act[1] to dock the Entail of 1973 Acres of Land in the Pariſh of *Martin's Brandon*, in the County of *Prince George*, whereof *Nathaniel Harriſon* is ſeized in Fee Taille, and for veſting the ſame in Truſtees in Fee Simple for the Uſes therein mentioned.

Alſo a Bill *entitled* An Act[2] for eſtabliſhing a Ferry from the Land of *Thomas Shepherd* at *Mecklenburg*, in *Frederick* County, to *Maryland*.

Mr *Benjamin Harriſon*, from the Committee of Trade, preſented to the Houſe, according to Order, a Bill To amend the Act for inſpecting Pork, Beef, Flower, Tar, Pitch, and Turpentine; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, to whom the Bill For the more effectual and ſpeedy Proſecution of Perſons ſetting up Hedges or Stone Stops in the River *Pamunkey*, and for other Purpoſes therein mentioned, was committed, reported that the Committee had made no Amendments thereto; and then delivered the Bill in at the Table.

And the Queſtion being put that the ſaid Bill be engroſſed and read a thrid Time,

It paſſed in the Negative.

Reſolved, That the ſaid Bill be rejected.

He alſo reported, from the ſaid Committee, that they had had under their Conſideration divers Propoſitions and Petitions to them referred, and had come to ſeveral Reſolutions thereupon; which he read in his Place, and then delivered them in at the Table, where they were again twice read, and agreed to, as follow:

Reſolved, That the Petition of ſundry Tanners, and others, concerned in the Leather Manufactures of this Colony, praying that they may be exempt from the Payment of Duties on the Exportations of ſuch Hides only as they ſhall hereafter import, is reaſonable.

Reſolved, That the Petition of ſundry Inhabitants of the Pariſhes of *Bromfield* and St. *Mark's*, in the County of *Culpeper*, praying that the ſaid Pariſhes may be divided into three diſtinct Pariſhes, according to the Boundaries deſcribed in the ſaid Petition, be rejected.

Reſolved, That the ſeveral Petitions of ſundry other Inhabitants of the ſaid Pariſhes, in Oppoſition to the ſaid Petition for a Diviſion, are reaſonable.

Ordered, That the ſaid Committee do prepare and bring in a Bill purſuant to the firſt Reſolution.

Mr *Littlepage* preſented to the Houſe, according to Order, a Bill To dock the Entail of 1500 Acres of Land whereof *Thomas Mann Randolph*, Gent. is ſeized, and for ſettling other Lands in Lieu thereof to the ſame Uſes; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

On a *Motion* made,

Ordered, That it be an Inſtruction to the Perſons to whom the Bill To prevent the raiſing of Hogs, and ſuffering them to run at large, in the Town of *Richmond*, is committed, to receive a Clauſe or Clauſes to include the Town of *Portſmouth* and *Leeds* Town.

On a *Motion* made,

A *Bill* To dock the Entail of 1500 Acres of Land whereof *Thomas Mann Randolph*, Gent. is ſeized, and for ſettling other Lands in Lieu thereof to the ſame Uſes, was read a ſecond Time, and committed to Mr *Littlepage*, Mr *Moore*, and the Members of *Albemarle*.

An engroſſed *Bill* entitled *An Act*[3] *to veſt certain Lands whereof* Rice Jones *is ſeized in Fee Taille, in the Hon.* Richard Corbin, *Eſq; in Fee Simple, and for ſettling Slaves to be annexed to other entailed Lands in Lieu thereof*, was read a third Time.

Reſolved

[1] Hening, VIII, p. 174. [2] *Ibid.*, VIII, 146. [3] *Ibid.*, VIII, p. 159.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *John Lee* do carry it up to the Council for their Concurrence.

The *Order* of the Day being read for the Houſe to take into Conſideration the Memorial of the Volunteers of *Virginia*, and the Letters from General *Gage*, and Col. *Bouquet*.

The Houſe immediately reſolved itſelf into a Committee on the ſaid Memorial and Letters, and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had had the ſaid Memorial under their Conſideration, and had come to the following Reſolutions:

Reſolved, That the Memorial of the Officers and Volunteers who ſerved in the Expedition againſt the *Shawaneſe*, under the Command of Col. *Bouquet*, ought to be rejected, they having no Claim againſt this Colony.

The *Order* of the Day being read for the Houſe again to reſolve itſelf into a Committee on the Bill For amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms.

Reſolved, That this Houſe will again reſolve itſelf into a Committee on the ſaid Bill Tomorrow.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Wednesday, the 15th of May, 5 Geo. III. 1765.

AN engroſſed *Bill* entitled *An Act*[1] *to dock the Entail of certain Lands whereof* Harry Beverley, *Gent. is ſeized and for ſettling Slaves to be purchaſed in Lieu thereof to the ſame Uſes*, was read a third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Edmund Pendleton* do carry it up to the Council for their Concurrence.

A *Petition* of ſundry Inhabitants of *Elizabeth City* County, ſetting forth the Hardſhips and Inconveniences they muſt ſuffer in Caſe *Henry Allen* is permitted to build a Bridge over the ſouth Branch of *Back* River, and praying that the ſaid *Allen* may not be allowed.

Ordered, That the ſaid Petition be referred to the Committee of Propoſitions and Grievances; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

31 Mr *Cary*, from the Committee of Claims, reported that they had had under their Conſideration ſeveral Petitions to them referred, and had come to the following Reſolutions thereupon as follow:

Reſolved, That *William Winſton*, Jun. ought to be allowed by the Publick the Sum of £25, for the Timber uſed in building a Fort, and the Damages done his Plantation by the Militia in his Petition mentioned.

Reſolved, That the Petition of *John Patrick*, for a Horſe impreſſed into the Service of the Colony in the Year 1761, be rejected, for Want of ſufficient Proof.

Reſolved, That the Petition of *Simon Powell*, of the *Orange* Militia, for Relief under an Indiſpoſition cauſed by his Service on the Frontiers, be rejected.

On conſidering the *Petition* of Capt. *John Smith*, it appeared to your Committee that the ſaid *Smith* was Captain of a Ranging Company, and taken Priſoner by the Enemy at *Vauff's* Fort, where he was ſtationed the 25th Day of *June*, 1756, and carried to *Canada*, from thence in a Cartel to *England*, where he got a Paſſage to *New York*, and returned Home to his Family in this Colony the 6th Day of *March*, 1758: That while he was a Priſoner in *Canada* he had the Sum of £57. 16. 3 current Money of *Virginia* advanced him by Col. *Schuyler*, which Sum hath been ſince paid the ſaid *Schuyler* by this Colony.

Reſolved

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[1] Hening, VIII, p. 166.

Reſolved, That the ſaid *John Smith* ought to be allowed his Pay of 10s. per Day from the Time he was taken Priſoner to his Return to his Family, amounting to £310, by the Publick.

Reſolved, That the Sum of £57.16. 3 ought to be reimburſed the Publick by the ſaid *John Smith*, unleſs he makes it appear that the ſaid Money was applied by him to the Support and Maintenance of the Priſoners of this Colony, in *Canada*.

Reſolved, That the Petition of *Baldwin Dade* and *Thomas Bunbury*, Inſpectors at *Boyd's Hole* Warehouſe, to be paid for Tobacco ſtolen out of the ſaid Warehouſe, be rejected, it not appearing to this Committee that the ſaid Warehouſe was ſufficiently ſecured at the different Times the ſeveral Hogſheads of Tobacco were ſtolen.

On conſidering the *Petition* of *Job Parker*, it appeared to your Committee that a Horſe belonging to the Petitioner, of the Value of 12 or 13 Pounds was impreſſed by Capt. *William Polſon* of the *Virginia* Regiment, loaded, and carried away by him on his March to join the Troops under General *Braddock:* That the ſaid Parker not being preſent when the Horſe was impreſſed, and Capt. *Polſon* and moſt of his Officers ſoon after killed in ſaid *Braddock's* Engagement, it does not appear that an Certificate was ever given for the ſaid Horſe, and that all Expenſes of Waggonage and Horſes for that Expedition were paid by the Crown.

Reſolved, That the ſaid Petition be rejected, not being a proper Claim againſt this Colony; and the ſame being read were agreed to by the Houſe, except the 4th and 5th Reſolutions, which were ordered to be recommitted to the ſaid Committee.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that they had, according to Order, examined into and ſtated an Account of the Expenſes for the Attendance of Witneſſes before the Commiſſioners in the Country, on the Information formerly exhibited to this Houſe by Mr *Thomas Rutherford* againſt Col. *Adam Stephen;* and which he read in his Place, and then delivered it in at the Table, where it was again twice read, and is as follows: 32

	Days Attendance.	Travelling. Miles	lbs. of Tobacco
To *James Holyday*, for.....	3		75
John Gaddis.....	3		75
Joſeph M'Henry.....	3		75
Robert Cunningham.....	1		25
Jonathan Seaman.....	4		100
Thomas Parſons.....	3 &	72	291
John M'Culloch.....	5 &	60	305
Silas Hedges.....	3 &	60	255
John Wynn.....	2 &	75	276
Henry Enocks.....	3 &	27	156
Garrett Reaſner.....	3 &	50	225
Abraham Hite.....	2 &	72	266
William Dark.....	3 &	90	345
Benjamin Kuykendall	3 &	56	243
Abraham Kuykendall.....	3 &	56	243
Nathaniel Kuykendall.....	3 &	53	234
Thomas Douthitt.....	4 &	60	280
James Slaughter.....	2 &	60	230
Samuel Blackwell.....	4 &	75	325
Charles Lynch.....	5 &	75	350
Jacob Caſtleman.....	3 &	50	225
Vincent Colvin.....	3 &	50	225
		Total.....	4823

Ordered

Ordered, That the ſaid Account do lie on the Table.

He alſo reported that the ſaid Committee had under their Conſideration ſeveral Petitions of the Inhabitants of the Pariſhes of *Truro* and *Fairfax* to them referred, and had come to the following Reſolutions thereupon; which he read in his Place, and then delivered in at the Table, where they were again read, and are as follow:

Reſolved, That the Petition of ſundry Inhabitants of the Pariſh of *Truro*, complaining of an Inequality in the late Diviſion of the ſaid Pariſhes, and praying that a new Diviſion may be made, by the Line to begin at *Clifton's* or *Johnſon's* Ferry, on *Potowmack* River, to run from thence over the Ford on *Dogue's* Run, where the back Road from *Colcheſter* to *Alexandria* croſſes the ſame, and from thence to the Forks of *Difficult* Run, is reaſonable.

Reſolved, That ſo much of the Petitions of ſundry Inhabitants of the ſaid Pariſh of *Fairfax*, in Oppoſition thereto, as prays that if the ſaid Pariſhes are to be divided it may be done by other Lines in the ſaid Petition deſcribed, is reaſonable.

The *firſt* Reſolution being read a ſecond Time, and the Queſtion put that the Houſe agree thereto,

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

Ordered, That the ſaid Committee do prepare and bring in a Bill purſuant to the laſt Reſolution.

He alſo reported, from the ſaid Committee, the Bill To amend the ſeveral Acts for obliging the Owners of Mills, Hedges, and other Stops on the ſeveral Rivers therein mentioned, to make Openings or Slopes therein for the Paſſage of Fiſh; and the ſame was
33 read the firſt Time, and ordered to be read a ſecond Time.

The *Order* of the Day being read for the Houſe again to reſolve itſelf into a Committee on the Bill For amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms.

Reſolved, That this Houſe will immediately reſolve itſelf into a Committee on the ſaid Bill.

Ordered, That the ſeveral Petitions that were ordered to lie on the Table, relative to the ſaid Law, be referred to the ſaid Committee.

And then the Houſe reſolved itſelf into a Committee on the ſaid Bill and Petitions; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that they had had the ſame under their further Conſideration, and had gone through the ſame, which he was ready to deliver in at the Table.

Ordered, That the ſaid Report be received Tomorrow.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Thurſday, the 16th of May, 5 Geo. III. 1765.

MR *Bradley*, from the Committee to whom the Bill To prevent the raiſing of Hogs, and ſuffering them to run at large, in the Town of *Richmond*, was committed, reported that the ſaid Committee had made ſome Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where they were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

An engroſſed *Bill* entitled *An Act*[1] *for amending the Act entitled an Act for directing the Trial of Slaves committing Capital Crimes, and for the more effectual puniſhing Conſpiracies and Inſurrections of them, and for the better Government of Negroes, Mulattoes, and Indians, bond or free*, was read the third Time.

Reſolved

[1] Hening, VIII, p. 137.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry it up to the Council for their Concurrence.

An engroſſed *Bill* entitled *An Act*[1] *to amend an Act for raiſing a Publick Levy, and for other Purpoſes therein mentioned*, was read a third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Cary* do carry it up to the Council for their Concurrence.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Bill *For amending and declaring the Law concerning the Eſcape of Debtors out of Priſon Rules, and for other Purpoſes therein mentioned, with an Amendment, to which they deſire the Concurrence of this Houſe.*

Alſo to the Bill *To dock the Entail of certain Lands whereof* Harry Beverley, *Gent. is ſeized, and for ſettling Slaves to be purchaſed in Lieu thereof to the ſame Uſes.*

Alſo to the Reſolve *for a new Publication of the Laws of this Colony.* 34

Mr *Cary*, from the Committee of Claims, reported that the ſaid Committee had had under their further Conſideration the Petition of Capt. *John Smith*, to them recommitted, and had come to the following Reſolutions thereupon; which he read, and then delivered them in at the Table, where they were again twice read, and agreed to by the Houſe.

Reſolved, That the ſaid *John Smith* ought to be paid by the Publick the Sum of £83. 13. 9, being the Balance of his Pay of £241. 10, from the Time of his Captivity to his Return to his Family, deducting £100 received by the ſaid *Smith* by the Vote of the Houſe, and £57. 16. 3 received by him of Col. *Schuyler* in *Canada*, and repaid the ſaid *Schuyler* by this Colony.

Reſolved, That the ſaid *John Smith* ought to be reimburſed the ſaid Sum of £57. 16. 3 by the Publick, or ſo much thereof as he ſhall hereafter make appear was expended by him on Account of the Priſoners of this Colony in *Canada*.

Mr *Attorney* preſented, according to Order, the Amendments made by the Committee of the whole Houſe to the Bill For amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms.

Reſolved, That this Houſe will receive the ſame To-morrow.

Mr *Cary*, from the Committee of Claims, reported that the ſaid Committee had had under their Conſideration the Petition of *Iſaac Perkins*, to them referred, praying to be allowed for two Years Rent of a Houſe in *Winchester* while it was repairing, after being uſed as an Hoſpital for the *Virginia* Regiment, and had come to a Reſolution thereupon; which he read in his Place, and then delivered in at the Table, where it was again twice read and agreed to by the Houſe.

Reſolved, That the aid Petition be rejected, it appearing that the Petitioner hath already received full Satiſfaction for all Damages done the ſaid Houſe while it was uſed as an Hoſpital for the Regiment.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that the ſaid Committee had had under their Conſideration the Bill To prevent the Practice of ſelling Perſons as Slaves that are not ſo, to them referred, and had made ſome Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where they were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, reported that the ſaid Committee had had under their Conſideration the Petition of *Henry Allen*, and ſundry Inhabitants of the Counties of *Elizabeth City* and *York*, and alſo a Petition of divers other Inhabitants of the ſaid County of *Elizabeth City* in Oppoſition thereto, to them referred, and had come to ſeveral Reſolutions thereupon; which he read in his Place, and

then

[1] Hening, VIII, p. 178

then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, and are as follow:

Reſolved, That the Petition of the ſaid *Henry Allen*, and others praying that he may have Leave to build a Bridge over the ſouth Branch of *Back* River, at his own Expenſe, and alſo a Fulling Mill and Griſt Mill at the ſame Place, and that one Acre of Land on the north Side of the ſaid Branch may be veſted in him in Fee Simple for thoſe Purpoſes, upon his paying the Proprietors thereof the full Value of the ſame, is reaſonable.

Reſolved, That the ſaid Petition of ſundry other Inhabitants of the ſaid County of *Elizabeth City*, in Oppoſition thereto, be rejected.

Ordered, That the Committe of Propoſitions do prepare and bring in a Bill purſuant to the 1ſt Reſolution.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Friday, the 17th of May, 5 Geo. III. 1765.

ORDERED, That Mr *Walke* have Leave to be abſent the Remainder of this Seſſion.

A *Petition* of ſundry Freeholders and others of the County of *Weſtmoreland*, praying that the Warehouſes at *Stratford* Landing may not be diſcontinued, was preſented to the Houſe and read.

Ordered, That the Petition do lie on the Table.

Mr *Attorney*, from the Committee of the whole Houſe, to whom the Bill For amending an Act entitled *An Act*[1] *for amending the Staple of Tobacco, and for preventing Frauds in his Majeſty's Cuſtoms*, was committed, reported, according to Order, that the ſaid Committee, had made ſome Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where they were again twice read, and agreed to by the Houſe, with ſome Amendments.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Bill *entitled* An[2] Act to amend an Act for raiſing a Publick Levy, and for other Purpoſes therein mentioned.

Alſo to the Bill *entitled* An Act[3] for amending the Act entitled an Act for directing the Trial of Slaves committing Capital Crimes, and for the more effectual puniſhing Conſpiracies and Inſurrections of them, and for the better Government of Negroes, Mulattoes, and *Indians*, bond or free, *with ſome Amendments to which they deſire the Concurrence of this Houſe.*

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Saturday, the 18th of May, 5 Geo. III. 1765.

A *Member* returned on a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, inſtead of the Oaths of Allegiance and Supremacy and taken and ſubſcribed the Oath of Abjuration, and alſo ſubſcribed the Teſt was admitted to his Place in the Houſe.

A *Petition* of *Thomas Brown*, ſetting forth that he was a Soldier under Col. *George Waſhington*, and received many Wounds in the Service, which has occaſioned the Loſs of the Uſe of ſome of his Limbs, and praying the Conſideration of this Houſe, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Committee of Claims; that they examine

[1] Hening, VIII , p. 69. [2] *Ibid.*, VIII, p. 178. [3] *Ibid.*, VIII, p. 137.

examine into the Allegations thereof, and report the ſame with their Opinion thereon, to the Houſe.

Mr *Wythe*, from the Committee to whom the Bill to veſt certain Lands in *James Hubard*, and ſettling other Lands in Lieu thereof, was committed, reported that they had examined into the Allegations thereof, and found them to be true, but had made no Amendments thereto.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

Mr *Attorney*, from the Committee to whom the Bill For the Sale of the uſeleſs mili- 36
tary Stores in the Magazine in *Williamſburg*, was committed, reported that the ſaid Committee had examined into the Allegations thereof, and found them to be true and, had made ſome Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where they were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

Mr *Henry Lee* reported that the Committee appointed had, according to Order, examined ſundry enrolled Bills, and rectified ſuch Miſtakes as were found therein, and that they were truly enrolled.

Ordered, That Mr *Henry Lee* do carry them up to the Council for their Inſpection.

Ordered, That Meſs. *Parramore*, *Dalby*, and *Harmanſon*, have Leave to be abſent the Remainder of this Seſſion.

The *Claims* of *John Buchanan*, *Walker Johnſton*, and *John Tremble*, were ſeverally preſented to the Houſe and read.

Ordered, That the ſaid Claims be referred to the Conſideration of the next Seſſion of Aſſembly.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have inſpected the enrolled Bills, and are ſatiſfied they are truly enrolled.

A *Meſſage* from the Governour by Mr *Walthoe*.

Mr *Speaker*,

The Governour commands the immediate Attendance of your Houſe in the Council Chamber, and that you bring with you ſuch Bills and Reſolves as are ready for his Aſſent.

Mr *Speaker* with the Houſe went up accordingly, and his Honour the Governour was pleaſed to give his Aſſent to the following publick and private Acts:

1. *An Act*[1] *to amend an Act for raiſing a Publick Levy, and for other Purpoſes therein mentioned.*

2. [2]*To enable Tenants in Taille to make Leaſes of their Lands.*

3. [3]*For further continuing the Act entitled An Act for the better regulating and collecting certain Officers Fees, and for other Purpoſes therein mentioned.*

4. [4]*For allowing the full Fees to which the Lawyers practiſing in the ſeveral Courts of this Colony are entitled, in particular Caſes therein mentioned, to be taxed upon Recovery in the Bill of Coſts.*

5. [5]*To oblige the Veſtry of the Pariſh of* Nottoway *to refund to the Pariſh of* St. Luke *their Proportion of Money and Tobacco raiſed for repairing the Churches in the ſaid Pariſh of* Nottoway *before the Diviſion thereof.*

6. [6]*To dock the Entail of 1973 Acres of Land in the Pariſh of* Martin's Brandon, *in the County of* Prince George, *whereof* Nathaniel Harriſon *is ſeized in Fee Taille, and for veſting the ſame in Truſtees in Fee Simple for the Uſes therein mentioned.*

And then the Houſe adjourned until Monday Morning 10 o'Clock.

Monday

[1] Hening, VIII, p. 178.
[2] *Ibid.*, VIII, p. 183.
[3] *Ibid.*, VIII, p. 186.
[4] *Ibid.*, VIII, p. 184.
[5] *Ibid.*, VIII, p. 177.
[6] *Ibid.*, VIII, p. 174.

37 # Monday, the 20th of May, 5 Geo. III. 1765.

A *Member* returned on a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, inſtead of the Oaths of Allegiance and Supremacy, and taken and ſubſcribed the Oath of Abjuration, and alſo ſubſcribed the Teſt, was admitted to his Place in the Houſe.

Ordered, That Mr *Ward* be added to the Committee of Claims, and Mr *Henry* to the Courts of Juſtice.

An engroſſed *Bill* entitled *An Act*[1] *to prevent the raiſing of Hogs, and ſuffering them to run at large, in the Town of* Richmond, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Bradley* do carry it up to the Council for their Concurrence.

The Houſe proceeded to the Conſideration of the Amendment propoſed by the Council to the Bill For amending the Act entitled *An Act*[2] *for directing the Trial of Slaves committing Capital Crimes, and for the more effectual puniſhing Conſpiracies and Inſurrections of them, and for the better Government of Negroes, Mulattoes, and Indians, bond or free*, and the ſame being read, were agreed to.

Ordered, That Mr *Attorney* do go up to the Council, and acquaint them therewith.

An engroſſed *Bill* entitled *An Act*[3] *for enlarging the Juriſdiction of the Court of Huſtings in the Borough of* Norfolk, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry it up to the Council for their Concurrence.

An engroſſed *Bill* entitled *An Act*[4] *to prevent the Practice of felling Perſons for ſlaves that are not ſo*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry it up to the Council for their Concurrence.

An engroſſed *Bill* entitled *An Act*[5] *for the Sale of the uſeleſs Military Stores in the Magazine in* Williamſburg, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry it up to the Council for their Concurrence.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Bill *entitled* An Act[6] for enlarging the Juriſdiction of the Court of Huſtings in the Borough of *Norfolk*.

On a *Motion* made,

Reſolved, That the Bill paſſed this Seſſion For amending the Act entitled *An Act*[7] *for raiſing a Publick Levy, and for other Purpoſes therein mentioned*, allows the People to pay Part of the ſaid Levy in Money in different Proportions in ſeveral Counties, which from the Manner of proportioning the Levy could not otherwiſe be done, this Houſe will at the Time of laying the next Levy adjuſt the ſaid Relief, ſo as to extend it equally to all.

A *Bill* To amend the ſeveral Acts for obliging the Owners of Mills, Hedges, and other
38 Stops, on the ſeveral Rivers therein mentioned, to make Openings or Slopes therein for the Paſſage of Fiſh, was read a ſecond Time, and committed to the Committee of Propoſitions and Grievances.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Tuesday

[1] Not in Hening.
[2] Hening, VI, p. 104.
[3] *Ibid.*, VIII, p. 153.
[4] *Ibid.*, VIII, p. 133.
[5] *Ibid.*, VIII, p. 146.
[6] *Ibid.*, VIII, p. 153.
[7] *Ibid.*, VIII, p. 178

Tuesday, the 21st of May, 5 Geo. III. 1765.

AN engroſſed *Bill* entitled *An Act*[1] *for amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms*, was read the third Time, the Blanks therein filled up, and a Rider added.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry it up to the Council for their Concurrence.

A *Meſſage* from the Council by Mr *Walthoe*,

That they have agreed to the Bill *entitled* An Act[2] to prevent the Practice of ſelling Perſons for Slaves that are not ſo.

Alſo to the Bill *entitled* An Act[3] to veſt certain Lands whereof *Rice Jones* is ſeized in Fee Taille, in the Hon. *Richard Corbin*, Eſq; in Fee Simple, and for ſettling Slaves to be annexed to other entailed Lands in Lieu thereof.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, preſented to the Houſe, according to Order, a Bill To empower *Henry Allen* to build a Bridge, and a Fulling and Griſt Mill, on the ſouth Branch of *Back* River, in the County of *Elizabeth City*.

Alſo a *Bill* entitled *An Act*[4] *for repealing an Act paſſed in the former Part of this preſent Seſſion of Aſſembly entitled An Act for dividing the Pariſh of* Truro, *in the County of* Fairfax, *and for making a more equal Diviſion of the ſaid Pariſh;* and the ſaid Bills were read the firſt Time, and ordered to be read a ſecond Time.

He alſo reported, from the ſaid Committee, to whom the Bill entitled *An Act*[5] *for the better Government of Servants and Slaves*, was committed, that the ſaid Committee had made ſeveral Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table where the Amendments were again twice read and agreed to with ſome Amendments by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

On a *Motion* made,

The *Bill* To empower *Henry Allen* to build a Bridge, and a Fulling and Griſt Mill, on the ſouth Branch of *Back* River, in the County of *Elizabeth City*, was read a ſecond Time, and committed to the Committee of Propoſitions and Grievances.

On a *Motion* made,

The *Bill* entitled *An Act*[6] *for repealing an Act paſſed in the former Part of this preſent General Aſſembly entitled An Act for dividing the Pariſh of* Truro *in the County of* Fairfax *and for making a more equal Diviſion of the ſaid Pariſh*, was read a ſecond Time, and committed to the Committee of Propoſitions and Grievances.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Wednesday, the 22nd of May, 5 Geo. III. 1765. 39

A *Petition* of *Frances Aſhby*, ſetting forth that her deceaſed Huſband *Nimrod Aſhby* commanded a Company of Militia on the Frontiers in the Year 1763, and that he was under the Neceſſity to advance his own Credit to furniſh the Militia with Clothes and other Things fit for the Service; that he employed certain Perſons as Pilots or Runners, who with ſeveral others empowered him to draw their Pay which he did; and on his Return to the Frontiers was attacked by a Party of *Indians*, who murdered him and took from him all his Money, to the Amount of 66 or 67 Pounds, and praying the Relief of this Houſe.

Reſolved

[1] Not paſſed until Nov. 1766.
[2] Hening, VIII, p. 133.
[3] *Ibid.*, VIII, p. 159.
[4] *Ibid.*, VIII, p. 157.
[5] *Ibid.*, VI, p. 256.
[6] *Ibid.*, VIII, p. 157.

Reſolved, That the ſaid Petition be referred to the Conſideration of the next Seſſion of Aſſembly.

A *Petition* of *William Phillips*, praying a Conſideration for his Services in attending the Volunteers in the Year 1755, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Conſideration of the Committee of Claims; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Mr *Cary*, from the Committee of Claims, preſented to the Houſe, according to Order, a Bill For appointing Commiſſioners to examine and ſtate the Accounts of the Militia lately ordered out into actual Service, and for other Purpoſes therein mentioned, with a Schedule annexed; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

An engroſſed *Bill* entitled *An Act*[1] *to veſt certain Lands the reinmentioned in* James Hubard, *and ſettling other Lands and Slaves in Lieu thereof*, was read a third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Wythe* do carry it up to the Council for their Concurrence.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, to whom the Bill To empower *Henry Allen* to build a Bridge, and a Fulling and Griſt Mill, on the ſouth Branch of *Back* River, in the County of *Elizabeth City*, was committed, reported that the Committee had made no Amendments thereto; and he delivered the Bill in at the Table.

And the Queſtion being put that the ſaid Bill be engroſſed and read a third Time.

It paſſed in the Negative.

Reſolved, That the ſaid Bill be rejected.

He alſo reported the *Bill* For exempting the Exporters of dreſſed Hides or Skins from the Payment of Duties for ſuch as had been before imported; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

He alſo reported, from the ſaid *Committee*, to whom the Bill entitled *An Act*[2] *for repealing an Act paſſed in the former Part of this preſent Seſſion of Aſſembly entitled An Act for dividing the Pariſh of* Truro, *in the County of* Fairfax, *and for making a more equal Diviſion of the ſaid Pariſh*, was committed, that the ſaid Committee had made ſeveral Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where they were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

He alſo reported from the ſaid *Committee*, to whom the Bill To amend the ſeveral Acts for obliging the Owners of Mills, Hedges, and other Stops, on the ſeveral Rivers therein mentioned, to make Openings or Slopes therein for the Paſſage of Fiſh, was committed, that the ſaid Committee had made ſeveral Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to with ſome Amendments by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

He alſo reported, from the ſaid *Committee*, to whom the Bill For altering the Method of holding Courts in the County of *Amherſt*, was committed, that the ſaid Committee had made ſeveral Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to with ſome Amendments by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

An engroſſed *Bill* entitled *An Act*[3] *for the better Government of Servants and Slaves* was read the third Time, and the Blanks therein filled up.

Reſolved

[1] Hening, VIII, p. 168. [2] *Ibid.*, VIII, p. 157. [3] *Ibid.*, VIII, p. 135.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry it up to the Council for their Concurrence.

A *Bill* To amend an Act for inſpecting Pork, Beef, Flower, Tar, Pitch, and Turpentine, was read a ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

Mr *Pendleton* preſented to the Houſe, according to Order, a Bill To direct the Collection of the Land Tax in Arrear from Part of *Culpeper* County for the Year 1759, and for other Purpoſes therein mentioned; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

Ordered, That the Call of the Houſe be put off until To-morrow.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Thurſday, the 23rd of May, 5 Geo. III. 1765.

FOUR new *Members* being returned upon new Writs, having taken the Oaths appointed by Act of Parliament to be taken, inſtead of the Oaths of Allegiance and Supremacy, and taken and ſubſcribed the Oath of Abjuration, and alſo ſubſcribed the Teſt, were admitted to their Places in the Houſe.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, preſented to the Houſe, according to Order, a Bill To empower the Treaſurer to receive the Money due from the Province of *Pennſylvania* to this Colony; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

An engroſſed *Bill* entitled *An Act*[1] *for dividing the Pariſh of* Truro *in the County of* Fairfax, *and for making a more equal Diviſion of the ſaid Pariſh*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Weſt* do carry it up to the Council for their Concurrence.

On a *Motion* made, 41

Ordered, That Leave be given to bring in a Bill To oblige *Joſeph Rentfro*, and others, to pay to the Treaſurer of this Colony the ſeveral Sums of Money therein mentioned; and it is referred to Mr *Cary* to prepare and bring in the ſame.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For continuing the Act for appointing an Agent, and two other Acts therein mentioned; and it is referred to Mr *Cary* to prepare and bring in the ſame.

Mr *Pendleton*, from the Committee appointed to examine the Treaſurer's Accounts, reported that in the Accounts of the Duty on Liquors rendered by the Naval Officers, it appears that the Drawback of the ſaid Duty hath been allowed on ſeveral Quantities of Rum, as exported, which they have Reaſon to believe was ſold and conſumed on board his Majeſty's Ships, and other Veſſels in this Colony, but which they cannot aſcertain, for Want of the Certificates on which ſuch Drawbacks were allowed: They therefore deſire the Direction of the Houſe herein.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To prevent Frauds in the Drawback of the Duties on Liquors imported into this Colony, and it is referred to the Committee of Trade to prepare and bring in the ſame.

A *Petition* of *Henry Delony*, complaining of an undue Election and Return of Mr *Edmund Taylor* from the County of *Mecklenburg*, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to the Committee of Privileges and Elections; that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

Mr *Cary*, from the Committee of Claims, reported that the Committee had had under their

[1] Hening, VIII, p. 157.

their Conſideration ſeveral Petitions to them referred, and had come to ſeveral Reſolutions thereupon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That the Petition of *Thomas Brown*, a wounded Soldier, is reaſonable, and that he ought to be allowed by the Publick the Sum of £20 for his preſent Relief, and the Sum of £5 per Annum during Life.

Reſolved, That the Petition of *William Phillips*, to be allowed for his Services in the Defence of the Frontiers of this Colony as a Volunteer, be rejected, being no Claim againſt the Colony.

He alſo reported, from the ſaid *Committee*, ſundry Claims for the Pay and Expenſes of the Militia of different Counties, which had been rejected by the ſaid Committee.

Ordered, That the ſaid Claims do lie on the Table.

A *Bill* For giving further Time for the hearing Chancery Suits brought in the General Court of this Colony, and for other Purpoſes therein mentioned, was read a ſecond Time;

And the Queſtion being put that the ſaid Bill be engroſſed and read a third Time, It paſſed in the Negative.

Reſolved, That the ſaid Bill be rejected.

Ordered, That the Call of the Houſe be put off until To-morrow.

On a *Motion* made,

Reſolved, That this Houſe will reſolve itſelf into a Committee to take into their Conſideration the preſent State of the Colony immediately.

42 The Houſe accordingly reſolved itſelf into the ſaid Committee; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the Committee had had the State of the Colony under their Conſideration, and had come to ſeveral Reſolutions, which he was ready to deliver in at the Table.

Ordered, That the ſaid Report be received To-morrow.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Friday, the 24th of May, 5 Geo. III. 1765.

MR *Attorney*, from the Committee of Propoſitions and Grievances, to whom the Bill For clearing the great Falls of *James* River, the River *Chickahominy*, and the north Branch of *James* River, was committed, reported that the ſaid Committee had examined into the Allegations thereof, and found them to be true, and had made ſome Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where they were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſeed, and read a third Time.

Mr *Cary* preſented to the Houſe, according to Order, a Bill For continuing the Act for appointing an Agent, and two other Acts therein mentioned; and the ſaid Bills were read the firſt Time, and ordered to be read a ſecond Time.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Bill *entitled* An Act[1] for amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms.

Alſo to the Bill *entitled* An Act[2] for the better Government of Servants and Slaves, *with ſome Amendments, to which they deſire the Concurrence of this Houſe.*

Alſo to the Bill *entitled* An Act[3] for the Sale of the uſeleſs military Stores in the Magazine in *Williamſburg*.

Alſo

[1] Not paſſed until Nov. 1766. [2] Hening, VIII, p. 135. [3] *Ibid.*, VIII, p. 146.

Alſo to the Bill *entitled* An Act[1] to veſt certain Lands therein mentioned in *James Hubard*, and ſettling other Lands and Slaves in Lieu thereof.

Alſo to the Bill *entitled* An Act[2] for repealing an Act paſſed in the former Part of this preſent Seſſion of Aſſembly entitled An Act for dividing the Pariſh of *Truro* in the County of *Fairfax*, and for making a more equal Diviſion of the ſaid Pariſh.

Mr *Attorney* reported, according to Order, that the Committee of the whole Houſe had, according to Order, taken into their Conſideration the State of the Colony, and had come to ſeveral Reſolutions thereupon; which he read in his Place, and then delivered them in at the Table, where they were again twice read, and agreed to as follow:

Reſolved, That in Order to call in the Paper Money, and ſubſtitute another circulating Caſh in this Colony, Propoſals be made to the Merchants or others in *Great Britain* for borrowing of them the Sum of £240,000 Sterling, at an Intereſt of five per Cent. per Annum.

Reſolved, That in Order to pay the annual Intereſt, and ſink the Principal in Proportions of not leſs than £20,000 a Tax or Duty of ten Shillings Sterling per Hogſhead to be laid on all Tobacco exported from *October* 1ſt 1766, to *October* 1ſt 1775, and a Tax or Duty of ſix Shillings Sterling per Hogſhead on all Tobacco exported from *October* 1ſt 43
1775, to *October* 1ſt 1795, to be collected by the Naval Officers here and remitted to Truſtees to be choſen in *Great Britain*, to anſwer ſuch Payments, this Fund to be mortgaged to the Lenders, and the publick Faith engaged to make good any Deficiencies that may happen therein.

Reſolved, That the ſaid Tax or Duty be redeemable by the Payment of other Money remitted to and paid in *Great Britain*, which may ariſe from the Receipt of Intereſt annually, and Proportions of Principal of Money to be lent in this Colony, as hereafter directed.

Reſolved, That for £100,000 of the Money ſo to be borrowed Bills of Exchange be drawn in ſuch Mode as ſhall be agreed on between the Colony and the Lenders, and therewith all the Paper Money be redeemed and burnt.

Reſolved, That the remaining £140,000 Sterling be imported in Specie, or drawn for by Bills of Exchange, to be ſold for Specie (as ſhall be found moſt convenient) and depoſited here as a Stock whereon to circulate Bank Notes, to be lent out on permanent Security, at an Intereſt of five per Centum, to be paid yearly, a Proportion of the Principal at the End of four Years, another Proportion at the End of five Years, and afterwards by equal Payments once in four Years, until the whole be repaid.

Reſolved, That the Tax on Tobacco being the only Security on which the Money can be raiſed, as is ſuppoſed, the ſame is adopted; but being partial and unjuſt, in Reſpect to the People here, in Order to repay ſo much thereof as exceeds the preſent Tax on that Commodity to the Makers, a Tax of three Shillings per Poll annually be laid from *April* 1767 to *April* 1769, incluſive: And alſo a Tax of three Shillings and Sixpence per Poll annually, from *April* 1770 to *April* 1775 incluſive, and applied to the Purpoſe of ſuch Payment; from which Time the Tobacco Tax will be reduced to three Shillings Sterling per Hogſhead, inſtead of three Shillings current Money, to the Year 1779, when the Money borrowed in *Great Britain*, and Intereſt, will be paid off, and the Tax to ceaſe.

Reſolved, That on the Commencement of theſe Taxes, the preſent ſubſiſting Taxes on the Poll, Land, and Tobacco, and the Inſpection Duty of three Shillings current Money per Hogſhead on Tobacco, ſhall be diſcontinued.

Ordered, That Mr *Attorney* do go up to the Council to acquaint them that this Houſe have come to the foregoing Reſolutions, to which they deſire their Concurrence; and further, that they deſire a Conference with them on the Subject Matter of the ſaid Reſolutions, and will appoint a certain Number of their Members to meet ſuch as ſhall be appointed by the Council for that Purpoſe.

Ordered, That Mr *Attorney*, Mr *Edmund Pendleton*, Mr *Cary*, Mr *Benjamin Harriſon*, Mr

[1] Hening, VIII, p. 168. [2] *Ibid.*, VIII, p. 157.

Mr *Burwell*, Mr *Braxton*, and Mr *Fleming*, be appointed Managers for this Houſe at the ſaid Conference.

A *Petition* of *John Elliott*, ſetting forth that he has for many Years been acquainted with the Laws, and all Kinds of Venereal Caſes, and that he has an infallible Secret for curing thoſe inveterate Diſorders, which he is ready to diſcloſe to the Publick, upon receiving a proper Reward for making a Diſcovery.

And the Queſtion being put that the ſaid Petition be referred to a Committee,

It paſſed in the Negative.

Reſolved, That the ſaid Petition be rejected.

44 The Houſe proceeded to the Conſideration of the Amendments propoſed by the Council to the Bill entitled *An Act*[1] *for amending and declaring the Law concerning the Eſcape of Debtors out of the Priſon Rules, and for other Purpoſes therein mentioned;* and the ſame being read were agreed to, with ſome Amendments.

Ordered, That Mr *Fleming* do go up to the Council and acquaint them that this Houſe have agreed to the Amendments propoſed by them to the ſaid Bill, with ſome Amendments, and to deſire they will paſs the ſaid Bill as it is now amended.

The Houſe alſo proceeded to the Conſideration of the Amendments propoſed by the Council to the Bill entitled *An Act*[2] *for amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms;* and the ſame being read Part of the Amendments were agreed to, and Part diſagreed to.

Ordered, That Mr *Attorney* do go up to the Council and acquaint them that this Houſe have agreed to ſome of the Amendments propoſed by them to the ſaid Bill, and diſagreed to others, and do deſire they will recede from their Amendments diſagreed to by this Houſe.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Saturday, the 25th of May, 5 Geo. III. 1765.

TWO *Members* returned on new Writs, having taken the Oaths appointed to be taken by Act of Parliament, inſtead of the Oaths of Allegiance and Supremacy, and taken and ſubſcribed the Oaths of Abjuration, and alſo ſubſcribed the Teſt, were admitted to their Places in the Houſe.

Mr *Harriſon*, from the Committee of Trade, preſented to the Houſe, according to Order, a Bill to prevent Frauds in the Drawback of the Duties on Liquors imported into this Colony; and the ſame was read the firſt Time, and ordered to be read a ſecond Time.

An engroſſed *Bill* entitled *An Act*[3] *to amend the ſeveral Acts for obliging the Owners of Mills, Hedges, and other Stops, on the ſeveral Rivers therein mentioned, to make Openings or Slopes therein for the Paſſage of Fiſh*, was read the third Time and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry it up to the Council for their Concurrence.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have conſidered the Petition of William O'Bryan *to them directed, and have referred it to the Conſideration of this Houſe;* and the ſaid Petition was read, and is as follows:

To the Hon. *Francis Fauquier*, Governour of *Virginia*, and the Hon. Council and Burgeſſes of *Virginia*:

The *Petition* of *William O'Bryan Goff*, Branch Pilot on *Potowmack* River, *Weſtmoreland* County, with others,

Humbly Sheweth:

That

[1] Hening, VIII, p. 118. [2] Not paſſed until Nov. 1766. [3] Not paſſed until Nov. 1769.

That we are obliged to attend off with our Boats, waiting for the coming in of Shipping, and ſometimes the Maſter refuſes taking a Pilot, and will run over to Maryland *and take a Pilot there, becauſe they may have a Trifle of Tobacco to take in there, which is a Detriment to a Branch Pilot. If the Maſter takes a Branch Pilot, and he carries the Ship up to her Moorings, he will refuſe to pay him until he brings the Ship down again, becauſe he will ſay* 45 *he will be ſure of him; and as it is impoſſible that the Pilot ſhould know when the Ship is ready to ſail, and the Maſter neglects to ſend him word, he will then get ſome other Perſon to bring down the Ship, and ſo goes out of the Country without paying us for carrying the Veſſel up the River, and perhaps never returns again, by which Means we loſe our Fees. If he comes back again, we have no Remedy but to ſue him at Common Law, where we muſt be obliged to loſe our Time, and neglect our Buſineſs in attending the Court, by which we are at more Expenſe than the Value of our Fee. Another great Hardſhip on Pilots is, that when they carry a Veſſel down to the Capes, the Maſters will ſay they have no Money and very often abuſe them and offer them an Order on ſome Gentleman or Merchant in the Country, which we are under the Neceſſity of taking (becauſe we have no Remedy in that Place) and when carried and preſented perhaps may be proteſted. The Maſters of Veſſels are backward in taking a Pilot down the Bay in Summer Seaſon, but very fond of it in Winter, where we muſt be obliged to attend them with our Boats, and have no Harbour to make, let the Weather be never ſo ſevere, when we part with the Ship; for which Reaſon we would ſooner carry a Ship down the Bay for £5 in the Summer Seaſon, than for £10 in the Winter. So that we hope you will oblige them to take a Pilot down in Summer Seaſon, or elſe add more to our Bay Pilotage in the Winter Seaſon. It is a Practice too common among Maſters of Veſſels to take a Pilot that has not a Branch, becauſe they will pay but Half Price, and perhaps take a Receipt of the Perſon, and put one of moſt able and ſufficient Branch Pilots Name to it, and charge the Owners with whole Pilotage. And if a Branch Pilot was to make a juſt Complaint againſt one of thoſe other Pilots for not keeping a ſufficient Boat and Rigging, according as the Law directs, he can get no Remedy, becauſe he is worth nothing; for which the Maſters of Veſſels run a great Hazard in taking ſuch a One, and it is a great Hurt to a Branch Pilot, who is obliged to keep his Boat and Rigging in good Order, and be lying out and waiting for Ships coming in. Another great Hardſhip on Branch Pilots is that they ſhall be obliged to attend with their Boats as aforeſaid, and when they come on board of a Ship the maſter thereof ſhall, if he pleaſe, turn him away and take another, or go up the River without any Pilot at all. It would be very neceſſary that our Bay Pilots ſhould come up as high as the Naval Office, and that Place be eſtabliſhed for the Beginning of the River Pilots. And for the better ſecuring our Pay, we hope it may be ordered that it may be left at the Naval Office, and the Officer have ſuch a per Cent. as ſhall be thought proper for receiving the ſame, and not be allowed to clear out the Veſſel until the ſame is diſcharged. By the firſt Clauſe in the Act of Aſſembly concerning Pilotage, it is ordered that a Perſon ſhall be examined by three Magiſtrates as to their Ability before they ſhall be admitted to a Branch, but to me it would ſeem more proper they ſhould be examined by Perſons that are more fit Judges than it is poſſible to think thoſe Gentlemen can be, and if it was ordered that one or more of the Magiſtrates ſhould ſwear the moſt able and ſufficient Pilot they know to examine the others, it would be a Means of preventing ſome from that Place which are really not worthy of it. If we carry a Ship down the River to* Smith's Point, *which is the End of our River Pilotage, and the Wind happens to be contrary, the Maſters of Veſſels will not diſcharge us, though we are within a Mile or two of going as far as is required, but will keep us there waiting until the Wind ſerves, and will not make us any Satiſfaction for the Loſs of Time, but tell us that if we leave them they will pay us nothing; and perhaps whilſt we are waiting there another Ship* 46 *is coming up the River, and we dare not leave them to go to the Ship that is coming, by which Means we loſe that Fee.*

We

We hope your Honour will take theſe Things into your Conſideration, and regulate them in a more proper Manner; and your Petitioners ſhall be in Duty bound to pray, &c,

William O'Bryan Goff.
George Goff.
Winſon Kelly.

We beg that you will conſider the Hardſhips that we muſt undergo in going down the Bay in the Winter Seaſon, for ſo ſmall a Trifle as we get for it, eſpecially in ſtormy Weather, when thoſe that are in their Houſes think themſelves in Danger; and what muſt we think of it in our little decked Boats in ſuch a bleak Place, a Thing that I have often experienced in the Time that I have followed the Pilot Buſineſs, which has been Thirty Four Years.

William O'Bryan Goff.

Ordered, That the ſaid Petition be referred to the Conſideration of the next Seſſion of Aſſembly.

Mr *Cary* preſented to the Houſe, according to Order, a Bill To oblige *Joſeph Rentfro*, and others, to pay to the Treaſurer of this Colony the ſeveral Sums of Money therein mentioned; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

An *Account* of the Damage done by the *Virginia* Regiment on the Plantations of *William* and *John Montgomery*, was preſented to the Houſe and read.

Ordered, That the ſaid Account be referred to the Conſideration of the next Seſſion of Aſſembly.

An engroſſed *Bill* entitled *An Act*[1] *for inſpecting Pork, Beef, Flower, Tar, Pitch, and Turpentine*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Benjamin Harriſon* do carry it up to the Council for their Concurrence.

A *Meſſage* from the Council by Mr *Walthoe*.

That they inſiſt on their Amendments diſagreed to by this Houſe to the Bill *entitled* An Act[2] for amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms, *and to deſire that this Houſe will recede from their Diſagreement.*

That they have agreed to the Amendments propoſed to the Bill *entitled* An Act[3] for amending and declaring the Law concerning the Eſcape of Debtors out of the Priſon Rules, and for other Purpoſes therein mentioned.

As alſo to the Conference deſired by this Houſe, and have appointed three of the Members to manage the ſame, who are now ready in the Conference Chamber to meet the Managers appointed by this Houſe.

Ordered, That the Managers appointed by this Houſe do immediately attend thoſe of the Council in the Conference Chamber, and they accordingly withdrew.

A *Bill* To empower the Treaſurer to receive the Money due from the Province of *Pennſylvania* to this Colony, was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Bill* For continuing the Act for appointing an Agent, and two other Acts therein mentioned, was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Bill* For exempting the Exporters of dreſſed Hides or Skins from the Payment of
47 Duties for ſuch as had been before imported, was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Bill* To direct the Collection of the Land Tax in Arrears from Part of *Culpeper*

County

[1] Hening, VIII, p. 143. [2] Not paſſed until Nov. 1766. [3] Hening, VIII, p. 118

County for the Year 1759, and for other Purpoſes therein mentioned, was read a ſecond Time, and committed to Mr *Cary*, Mr *Read*, and Mr *Carrington*.

On a *Motion* made,

Ordered, That it be an Inſtruction to the ſaid Committee that they receive a Clauſe, or Clauſes, for obliging the Sheriff of *Lunenburg* to pay to the Juſtices of *Charlotte* and *Mecklenburg* their Proportions of the Tobacco due to the County of *Lunenburg* by the laſt Proportions, for their Expenſes on Criminals and Wolves Heads.

The Houſe proceeded to the Conſideration of the Amendments propoſed and inſiſted on by the Council to the Bill entitled *An Act*[1] *for amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms*, and receded from Part of their Diſagreement to the ſaid Amendment, and inſiſt on the other.

Ordered, That Mr *Attorney* do wait on the Council and acquaint them therewith.

An Act for appointing Commiſſioners to examine and ſtate the Accounts of the Militia lately ordered out into actual Service, and for other Purpoſes therein mentioned, was read a ſecond Time, and ſome Amendments made thereto.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To revive and amend *An Act*[2] *entitled An Act for eſtabliſhing a Trade with the* Indians *in Alliance with his Majeſty*, and alſo to amend one other Act for directing the Truſtees of the *Indian* Factory of *Virginia* to ſell the Goods imported by them, and to pay the Money ariſing by ſuch Sale into the Treaſury for the Uſe of the Publick; and it is referred to Mr *Archibald Cary* and Mr *Thomas Walker* to prepare and bring in the ſame.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have receded from their Amendments propoſed to the Act For amending and further continuing the ſeveral Acts of Aſſembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majeſty's Cuſtoms.

Mr *James Littlepage* reported that the Committee to whom the Bill To dock the Entail of 1500 Acres of Land whereof *Thomas Mann Randolph*, Gent. is ſeized, and for ſettling other Lands in Lieu thereof to the ſame Purpoſes, was referred, had examined into the Allegations thereof, and found them to be true, and had made ſeveral Amendments thereto; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

And then the Houſe adjourned until Monday Morning 10 o'Clock.

Monday, the 27th of December, 5 Geo. III. 1765.

AN engroſſed *Bill* entitled *An Act*[3] *for appointing an Agent*, and two other Acts therein mentioned, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Cary* do carry it up to the Council for their Concurrence.

Mr *Cary*, from the Committee to whom the Bill To direct the Collection of the Land Tax in Arrear from Part of *Culpeper* County for the Year 1759, and for other Purpoſes therein mentioned, was committed, reported that they had made ſome Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where they were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

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[1] Not paſſed until Nov. 1766. [2] Hening, VII, p. 116. [3] *Ibid.*, VIII, p. 118.

An engroſſed *Bill* entitled *An Act*[1] *for exempting the Exporters of dreſſed Hides or Skins from the Payment of Duties* for ſuch as had been before imported, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry it up to the Council for their Concurrence.

An engroſſed *Bill* entitled *An Act*[2] *to empower the Treaſurer to receive the Money due from the Province of* Pennſylvania *to this Colony*, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry it up to the Council for their Concurrence.

An engroſſed *Bill* entitled *An Act*[3] *to dock the Entail of 1500 Acres of Land whereof* Thomas Mann Randolph, *Gent. is ſeized, and for ſettling other Lands in Lieu thereof to the ſame Purpoſes*, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *James Littlepage* do carry it up to the Council for their Concurrence.

An engroſſed *Bill* entitled *An Act*[4] *for altering the Method of holding Courts in the Counties of* Amherſt, Albemarle, Auguſta, Buckingham, Cumberland, *and* Cheſterfield, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Fleming* do carry it up to the Council for their Concurrence.

An engroſſed *Bill* entitled *An Act*[5] *for appointing Commiſſioners to examine and State the Accounts of the Militia lately ordered out into actual Service, and for other Purpoſes therein mentioned*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry it up to the Council for their Concurrence.

An engroſſed *Bill* entitled *An Act*[6] *for clearing the great Falls of* James *River*, *the River* Chickahominy, *and the north Branch of* James *River*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

49 *Ordered*, That Mr *Attorney* do carry it up to the Council for their Concurrence.

A *Petition* of *Peter Pelham*, ſetting forth that the Organ in *Williamſburg* had been much out of Order, and almoſt unfit for Uſe, and that he has with great Labour and Expenſe repaired and tuned the ſame; and praying the Conſideration of this Houſe, was preſented to the Houſe and read.

Ordered, That the ſaid Petition be referred to Mr *Archibald Cary*, Mr *Francis Lee*, and Mr *John Fleming;* that they examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Tuesday, the 28th of May, 5 Geo. III. 1765.

A *Bill* To prevent Frauds in the Drawback of the Duties on Liquors imported into this Colony, was read the ſecond Time,

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Bill* To oblige *Joſeph Rentfro*, and others, to pay to the Treaſurer of this Colony the ſeveral Sums of Money therein mentioned, was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Bill *entitled* An Act[7] to empower the Treaſurer to receive the Money due from the Province of *Pennſylvania* to this Colony.

Alſo to the Bill *entitled* An Act[8] for inſpecting Pork, Beef, Flower, Tar, Pitch, and Turpentine.

Alſo

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[1] Hening, VIII, p. 142.
[2] *Ibid.*, VIII, p. 145.
[3] *Ibid.*, VIII, p. 161.
[4] Not in Hening.
[5] Hening, VIII, p. 124.
[6] *Ibid.*, VIII, p. 148.
[7] *Ibid.*, VIII, p. 145.
[8] *Ibid.*, VIII, p. 143.

Alſo to the Bill *entitled* An Act[1] for clearing the great Falls of *James* River, the River *Chickahominy*, and the north Branch of *James* River.

Alſo to the Bill *entitled* An Act[2] for exempting the Exporters of dreſſed Hides or Skins from the Payment of Duties for ſuch as had been before imported.

Alſo to the Bill *entitled* An Act[3] to dock the Entail of 1500 Acres of Land whereof *Thomas Mann Randolph*, Gent. is ſeized, and for ſettling other Lands in Lieu thereof to the ſame Purpoſes.

Alſo to the Bill *entitled* An Act[4] for appointing Commiſſioners to examine and ſtate the Accounts of the Militia lately ordered out into actual Service, and for other Purpoſes therein mentioned.

Mr *Cary*, from the Perſons appointed, reported, according to Order, a Bill To revive and amend *An Act entitled an Act*[5] *for eſtabliſhing a Trade with the Indians in Alliance with his Majeſty*, and alſo to amend one other Act for directing the Truſtees of the *Indian* Factory of *Virginia* to ſell the Goods imported by them, and to pay the Money ariſing by ſuch Sale into the Treaſury for the Uſe of the Publick; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Attorney* reported that the Managers for the Houſe had according to Order met the Managers for the Council in the Conference Chamber, who had acquainted them that the Council had conſidered the Reſolutions of this Houſe, and could not agree to them, and directed that the ſame ſhould be returned to this Houſe.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To repeal ſo much of the Act of Aſſembly made in the fourth Year of his preſent Majeſty's Reign, entitled *An Act*[6] *for appointing Commiſſioners to examine and ſtate the Accounts of the Militia lately ordered out into actual Service, and for other Purpoſes therein mentioned*, as allows a Bounty of 40s. to every Perſon who will voluntarily engage in the Service of the Colony; and it is referred to Mr *Cary* and Mr *Richard Lee* to prepare and bring in the ſame.

On a *Motion* made,

A *Bill* To revive and amend *An Act*[7] *entitled an Act for eſtabliſhing a Trade with the* Indians *in Alliance with his Majeſty*, and alſo to amend one other Act for directing the Truſtees of the *Indian* Factory of *Virginia* to ſell the Goods imported by them, and to pay the Money ariſing by ſuch Sale into the Treaſury for the Uſe of the Publick; was read a ſecond Time, and committed to the Committee of Propoſitions and Grievances.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Wednesday, the 29th of May, 5 Geo. III. 1765.

MR *Cary* reported that the Committee appointed to examine the Treaſurer's Accounts had had the ſame under their Conſideration, and examined all the ſeveral Articles and Vouchers thereof, and have agreed upon a Report as follows:

It appears that the ſaid *Accounts* are truly ſtated, and that there remains a Balance in the Hands of the Treaſurer of £10,068.3. 9 on the Publick Account.

That there remains in the Treaſurer's Hands a Balance of £46,985. 2 for the Duty on Tobacco, the Land and Poll Tax, the Tax on Writs, and Ordinary Licenſes, and the additional Duty on Slaves.

That burnt Tobacco Notes, not yet taken in, amount to £412.

That the *Fund* appropriated for the Redemption of Notes bearing Intereſt is all applied in ſuch Redemption, and there remains due to the Treaſurer on that Account a Balance of £21. 1. 6.

That

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[1] Hening, VIII, p. 148.
[2] *Ibid.*, VIII, p. 142.
[3] *Ibid.*, VIII, p. 162.
[4] *Ibid.*, VIII, p. 124.
[5] *Ibid.*, VII, p. 116.
[6] *Ibid.*, VIII, p. 124.
[7] *Ibid.*, VII, p. 116

That there ſtill remains in the Treaſurer's Hands £2500, the Balance due to the Commiſſioners of the *Indian* Trade.

That there is a *Balance* of £9.19.3 due to the Treaſurer on the Account of Money received for Bills of Exchange drawn on the Colony Agent in *Great Britain* purſuant to Acts of Aſſembly, and the Treaſury Notes emitted in *April* 1762.

Reſolved, That the ſaid Accounts do paſs.

Ordered, That Mr *Cary* do carry them up to the Council for their Concurrence.

Mr *Attorney*, from the Committee of Propoſitions and Grievances, to whom the Bill To revive and amend *An Act*[1] *entitled an Act for eſtabliſhing a Trade with the Indians in Alliance with his Majeſty*, and alſo to amend one other Act for directing the Truſtees of the *Indian* Factory of *Virginia* to ſell the Goods imported by them, and to pay the Money ariſing by ſuch Sale into the Treaſury for the Uſe of the Publick, was committed, reported that they had examined into the Allegations thereof, and found them to be true, and had made ſome Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

Mr *Cary* preſented to the Houſe, according to Order, a Bill To veſt certain Lots in the City of *Williamſburg* in the Purchaſers thereof, and for other Purpoſes therein mentioned, and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

51 On a *Motion* made,

Ordered, That Leave be given to bring in a Bill For the Eaſe and Relief of the People by paying the Burgeſſes Wages in Money for the laſt and preſent Seſſion of Aſſembly, and it is referred to Mr *Fleming* and Mr *Cary* to prepare and bring in the ſame.

An engroſſed *Bill* entitled *An Act*[2] *to direct the Collection of the Land Tax in Arrear from Part of* Culpeper *County for the Year 1759, and for other Purpoſes therein mentioned*, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Read* do carry it up to the Council for their Concurrence.

An engroſſed *Bill* entitled *An Act*[3] *to oblige* Joſeph Rentfro, *and others, to pay to the Treaſurer of this Colony the ſeveral Sums of Money therein mentioned*, was read a third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Cary* do carry it up to the Council for their Concurrence.

On a *Motion* made,

A *Bill* To veſt certain Lots in the City of *Williamſburg* in the Purchaſers thereof, and for other Purpoſes therein mentioned, was read the ſecond Time, and committed to Mr *Attorney*, Mr *Wythe*, and the Members of *York* and *James City* Counties.

An engroſſed *Bill* entitled *An Act*[4] *to prevent Frauds in the Drawback of the Duties on Liquors imported into this Colony*, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Cary* do carry it up to the Council for their Concurrence.

Mr *Cary*, from the Committee to whom the Petition of *Peter Pelham* was referred, reported that they had examined into the Allegations thereof, and found them to be true, and that they had come to a Reſolution; which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe, as follows:

Reſolved, That the ſaid *Peter Pelham* ought to be paid by the Publick the Sum of £50, for repairing the Organ in the Church in *Williamſburg*.

Mr *Cary*, from the Perſons appointed, reported, according to Order, a Bill To repeal ſo much of the Act of Aſſembly made in the fourth Year of his preſent Majeſty's Reign, entitled *An Act*[5] *for appointing Commiſſioners to examine and ſtate the Accounts of the Militia lately ordered out into actual Service*, and for other Purpoſes therein mentioned, as

allows

[1] Hening, VII, p. 116.
[2] *Ibid.*, VIII, p. 139.
[3] *Ibid.*, VIII, p. 172.
[4] *Ibid.*, VIII, p. 112.
[5] *Ibid.*, VIII, p. 10.

allows a Bounty of 40s. to every Perſon who will voluntarily engage in the Service of the Colony; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

On a *Motion* made,

Reſolved, That the Houſe reſolve itſelf into a Committee of the whole Houſe immediately, to conſider of the Steps neceſſary to be taken in Conſequence of the Reſolutions of the Houſe of Commons of *Great Britain* relative to the charging certain Stamp Duties in the Colonies and Plantations in *America*.

The Houſe accordingly reſolved itſelf into the ſaid Committee, and after ſome Time ſpent therein Mr *Speaker* reſumed the Chair, and Mr *Attorney* reported that the ſaid Committee had had the ſaid Matter under their Conſideration, and had come to ſeveral 52
Reſolutions thereon, which he was ready to deliver in at the Table.

Ordered, That the ſaid Report be received Tomorrow.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Thurſday, the 30th of May, 5 Geo. III. 1765.

ORDERED, That Mr *Read*, Mr *Carrington*, Mr *William Taylor*, and Mr *Robert Munford*, be added to the Committee appointed to examine the enrolled Bills.

A *Bill* To repeal ſo much of the Act of Aſſembly made in the fourth Year of his preſent Majeſty's Reign, entitled *An Act*[1] *for appointing Commiſſioners to examine and ſtate the Accounts of the Militia lately ordered out into actual Service, and for other Purpoſes therein mentioned*, as allows a Bounty of 40s. to every Perſon who will voluntarily engage in the Service of the Colony, was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Bill *entitled* An Act[2] to prevent Frauds in the Drawback of the Duties on Liquors imported into this Colony.

Alſo to the Bill *entitled* An Act to[3] oblige *Joſeph Rentfro*, and others, to pay to the Treaſurer of this Colony the ſeveral Sums of Money therein mentioned.

Alſo to the Bill *entitled* An Act[4] to direct the Collection of the Land Tax in Arrear from Part of *Culpeper* County for the Year 1759, and for other Purpoſes therein mentioned.

Alſo to the Reſolve *For making an Allowance to* Thomas Brown *for the Purpoſes therein mentioned.*

Mr *Attorney*, from the Committee to whom the Bill to veſt certain Lots in the City of *Williamſburg* in the Purchaſers thereof, and for other Purpoſes therein mentioned, was committed, reported that they had made ſome Amendments thereto; which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to by the Houſe.

Ordered, That the ſaid Bill with the Amendments be engroſſed, and read a third Time.

Mr *Fleming*, from the Perſons appointed, reported, according to Order, a Bill for the Eaſe and Relief of the People by paying the Burgeſſes Wages in Money for the laſt and preſent Seſſions of Aſſembly; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

Mr *Attorney*, from the Committee of Privileges and Elections, reported that they had had under their Conſideration the Petitionof Mr *Henry Delony*, complaining of an undue Election and Return of Mr *Edmund Taylor* to ſerve as a Burgeſs in this preſent General Aſſembly for the County of *Mecklenburg*, to them referred, and had come to ſeveral Reſolutions thereon; which he read in his Place, and then delivered them in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved

[1] Hening, VIII, p. 124. [2] *Ibid.*, VIII, p. 112. [3] *Ibid.*, VIII, p. 172. [4] *Ibid.*, VIII, p. 139.

Reſolved, That the Perſons who voted at the ſaid Election whoſe Freeholds are queſtioned either by the Petitioner or ſitting Member be examined upon Oath before *Robert Munford*, *Benjamin Baird*, *Robert Alexander*, and *Thomas Anderſon*, of the County of *Mecklenburg*, Gentlemen, or any three of them, whether they be Freeholders or not, except ſuch of them as did ſwear to their Freedolds at the Election.

53 *Reſolved*, That the Petitioner and ſitting Member be at Liberty to examine Witneſſes before the ſaid Perſons as to the Freeholds, or other Qualifications of any Perſon who voted at the ſaid Election, although ſuch Perſons ſwore to their Freeholds at ſuch Election, or ſhall ſwear to the ſame at the Examination; and that it be an Inſtruction to the Perſons before whom ſuch Examinations are to be taken to examine how long ſuch Voters have been in Poſſeſſion of, and paid Quitrents for, the Lands or Tenements in Right of which they voted at the Election, and that they return the Depoſitions they ſhall take on the firſt Day of the next Seſſion of Aſſembly.

Reſolved, That the Petitioner give to the ſitting Member ten Days Notice at leaſt of the Time and Place when and where he intends to examine his Witneſſes, alſo a Liſt in Writing of the Names of the Voters he intends to except to, diſtinguiſhing againſt each Name the ſeveral Heads of Exceptions; and that the ſitting Member do the like to the Petitioner.

Reſolved, That the Petitioner be at Liberty to examine Witneſſes before the ſame Perſons as to the ſitting Member's treating the Freeholders of the ſaid County, or any of them, with ſpirituous Liquors, after the Teſt of the Writ for the Election of Burgeſſes for the ſaid County, or at the Time of taking the Poll at ſuch Election.

Reſolved, That the further Conſideration of the ſaid Petition ought to be referred to the next Seſſion of Aſſembly.

He alſo reported, from the ſaid *Committee*, that they had had under their Conſideration the Returns of the ſeveral Writs for electing Burgeſſes to ſerve in this preſent General Aſſembly for the Counties of *Amelia*, *Charlotte*, *Cheſterfield*, *Louiſa*, *Lunenburg*, and *Mecklenburg*, to them referred, and had come to two Reſolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, as follow:

Reſolved, That the Return of the Writ for electing a Burgeſs for the ſaid County of *Charlotte* is made in the Form preſcribed by Law.

Reſolved, That the Returns of the ſeveral Writs for electing Burgeſſes for the ſaid Counties of *Amelia*, *Cheſterfield*, *Louiſa*, *Lunenburg*, and *Mecklenburg*, are not made in the Form preſcribed by Law.

Ordered, That the ſeveral Returns of the Writs for electing Burgeſſes for the Counties of *Amelia*, *Cheſterfield*, *Lunenburg*, and *Mecklenburg*, be amended at the Table.

Ordered, That the Sheriff of the County of *Louiſa* be ſent for in Cuſtody to amend his ſaid Return.

An engroſſed *Bill* entitled *An Act*[1] *to revive and amend an Act entitled An Act for eſtabliſhing a Trade with the Indians in Alliance with his Majeſty*, and alſo to amend one other Act for directing the Truſtees of the *Indian* Factory of *Virginia* to ſell Goods imported by them, and to pay the Money ariſing by ſuch Sale into the Treaſury for the Uſe of the Publick, was read the third Time, and the Blanks therein filled up.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Cary* do carry it up to the Council for their Concurrence.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Treaſurer's Accounts.

Alſo to the Bill *entitled* An Act[2] for appointing an Agent, and two other Acts therein mentioned.

Mr *Attorney*, from the Committee of the whole Houſe, reported, according to Order,

54 that the Committee had conſidered of the Steps neceſſary to be taken in Conſequence of the

[1] Hening, VIII, p. 114. [2] *Ibid.*, VIII, p. 113.

the Refolutions of the Houſe of Commons of *Great Britain* relative to the charging Stamp Duties in the Colonies and Plantations in *America*, and that they had come to ſeveral Refolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houſe, with ſome Amendments, and are as follow:

Refolved, That the firſt Adventurers and Settlers of this his Majeſty's Colony and Dominion of *Virginia* brought with them, and tranſmitted to their Poſterity, and all other his Majeſty's Subjects ſince inhabiting in this his Majeſty's ſaid Colony, all the Liberties, Privileges, Franchiſes, and Immunities, that have at any Time been held, enjoyed, and poſſeſſed, by the people of *Great Britain*.

Refolved, That by two royal Charters, granted by King *James* the Firſt, the Coloniſts aforeſaid are declared entitled to all Liberties, Privileges, and Immunities of Denizens and natural Subjects, to all Intents and Purpoſes, as if they had been abiding and born within the Realm of *England*.

Refolved, That the Taxation of the People by themſelves, or by Perſons choſen by themſelves to repreſent them, who can only know what Taxes the People are able to bear, or the eaſieſt Method of raiſing them, and muſt themſelves be affected by every Tax laid on the People, is the only Security againſt a burthenſome Taxation, and the diſtinguiſhing Characteriſtick of *Britiſh* Freedom, without which the ancient Conſtitution cannot exiſt.

Refolved, That his Majeſty's liege People of this his moſt ancient and loyal Colony have without Interruption enjoyed the ineſtimable Right of being governed by ſuch Laws, reſpecting their internal Polity and Taxation, as are derived from their own Conſent, with the Approbation of their Sovereign, or his Subſtitute; and that the ſame hath never been forfeited or yielded up, but hath been conſtantly recognized by the Kings and People of *Great Britain*.

On a *Motion* made,

A *Bill* For the Eaſe and Relief of the People by paying the Burgeſſes Wages in Money for the laſt and preſent Seſſions of Aſſembly, was read the ſecond Time.

Ordered, That the ſaid Bill be engroſſed and read a third time.

And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Friday, the 31ſt of May. 5 Geo. III. 1765.

AN engroſſed *Bill* entitled *An Act*[1] *to repeal ſo much of the Act of Aſſembly made in the fourth Year of his preſent Majeſty's Reign, entitled An Act for appointing Commiſſioners to examine and ſtate the Accounts of the Militia lately ordered out into actual Service, and for other Purpoſes therein mentioned, as allows a Bounty of 40s. to every Perſon who will voluntarily engage in the Service of the Colony*, was read a third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Cary* do carry it up to the Council for their Concurrence.

An engroſſed *Bill* entitled *An Act*[2] *to veſt certain Lots in the City of* Williamſburg *in the Purchaſers thereof, and for other Purpoſes therein mentioned*, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Attorney* do carry it up to the Council for their Concurrence.

An engroſſed *Bill* entitled *An Act*[3] *for the Eaſe and Relief of the People by paying the Burgeſſes Wages in Money for the laſt and preſent Seſſions of Aſſembly*, was read the third Time, and the Blanks therein filled up. 55

Reſolved, That the ſaid Bill do paſs.

Ordered

[1] Hening, VIII, p. 151. [2] *Ibid.*, VIII, p. 171. [3] *Ibid.*, VIII, p. 187.

Ordered, That Mr *Fleming* do carry it up to the Council for their Concurrence.

On a *Motion* made,

Ordered, That Leave be given to bring in a Bill To oblige *Thomas Proffer* to reimburſe the Coſts of proſecuting an Information againſt him, and it is referred to Mr *Wythe* to prepare and bring in the ſame.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Bill *entitled* An Act[1] for the Eaſe and Relief of the People by paying the Burgeſſes Wages in Money for the laſt and preſent Seſſions of Aſſembly.

Alſo to the Bill *entitled* An Act[2] to revive and amend An Act entitled an Act for eſtabliſhing a Trade with the *Indians* in Alliance with his Majeſty, and alſo to amend one other Act for directing the Truſtees of the *Indian* Factory of *Virginia* to ſell the Goods imported by them, and to pay the Money ariſing by ſuch Sale into the Treaſury for the Uſe of the Publick.

Alſo to the Bill *entitled* An Act[3] to veſt certain Lots in the City of *Williamſburg* in the Purchaſers thereof, and for other Purpoſes therein mentioned.

Alſo to the Bill *entitled* An Act[4] to repeal ſo much of the Act of Aſſembly made in the fourth Year of his preſent Majeſty's Reign, entitled An Act for appointing Commiſſioners to examine and ſtate the Accounts of the Militia lately ordered out into actual Service, and for other Purpoſes therein mentioned, as allows a Bounty of 40s. to every Perſon who will voluntarily engage in the Service of the Colony.

Alſo to the Reſolve *for paying* Mr Peter Pelham *for repairing the Organ in the Church in the City of* Williamſburg.

Alſo to the Reſolve *for paying* Mr Benjamin Powell *for repairing the Publick Gaol in the City of* Williamſburg.

Ordered, That the ſeveral Claims which had been rejected by the Committee of Claims, and were ordered to lie on the Table, be referred to the next Seſſion of Aſſembly.

Mr *Wythe* preſented to the Houſe, according to Order, a Bill To oblige *Thomas Proffer* to reimburſe the Coſts of proſecuting an Information againſt him; and the ſaid Bill was read the firſt Time, and ordered to be read a ſecond Time.

On a *Motion* made,

Reſolved, That the ſeveral Sums following be paid to the ſeveral Officers of the General Aſſembly, reſpectively:

To *John Randolph*, Eſq; Clerk of the Houſe of Burgeſſes £250
To *Nathaniel Walthoe*, Eſq; Clerk of the General Aſſembly 80
To the Rev. Mr *Price*, Chaplain 60
To Mr *Francis Eppes*, Sergeant at Arms 80
To Mr *George Davenport*, Clerk of the Committees of Privileges and Elections and Propoſitions and Grievances 80
To Mr *Miles Cary*, Clerk of the Committee of Claims 75
To Mr *Thomas Everard*, Clerk of the Committee for Courts of Juſtice 30
To Mr *Hina Ruffel*, Clerk of the Committee of Trade 30
To the Doorkeeper of the Council 15
56 To *James Lavie*, To *Nathaniel Hix*, To *Thomas Francis*, To *John Broadrib*, } Doorkeepers to the Houſe { ..... 15 ..... 15 ..... 15 15
To Mrs. *Galt* for cleaning the Capitol 5

Ordered, That Mr *George Johnſton* do carry it up to the Council for their Concurrence.

On a *Motion* made,

A *Bill* To oblige *Thomas Proffer* to reimburſe the Coſts of proſecuting an Information againſt him, was read the ſecond Time. *Ordered*

[1] Hening, VIII, p. 114. [2] *Ibid.*, VIII, p. 171. [3] *Ibid.*, VIII, p. 151. [4] *Ibid.*, VIII, p. 173.

Ordered, That the ſaid Bill be engroſſed, and read a third Time.
And then the Houſe adjourned until Tomorrow Morning 10 o'Clock.

Saturday, the 1st of June, 5 Geo. III. 1765.

AN engroſſed *Bill* entitled *An Act*[1] *to oblige* Thomas Proffer *to reimburſe the Coſts of proſecuting an Information againſt him*, was read the third Time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr *Wythe* do carry it up to the Council for their Concurrence.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have agreed to the Bill *entitled* An Act[2] to oblige *Thomas Proffer* to reimburſe the Coſts of proſecuting an Information againſt him.

Alſo to the Reſolve *for paying the Officers of the General Aſſembly.*

Mr *Munford* reported that the Committee appointed had, according to Order, examined the enrolled Bills and Reſolves, and rectified ſuch Miſtakes as were found therein; and that they were truly enrolled.

Ordered, That Mr *Munford* do carry them up to the Council for their Inſpection.

The *Letter* of Mr *Charles Goore* of *Liverpool*, with his Inſtructions for making Hemp, directed to the Governour, Council, and Aſſembly, were preſented to the Houſe and read.

Ordered, That the Thanks of this Houſe be given to the ſaid Mr *Goore* for his kind Endeavors to ſerve this Colony, and that the ſeveral Copies of his Inſtructions for making of Hemp be properly diſtributed.

A *Meſſage* from the Council by Mr *Walthoe*.

That they have inſpected the enrolled Bills and Reſolves, and are ſatiſfied they are truly enrolled.

A *Meſſage* from the Governour by Mr *Walthoe*.

Mr *Speaker*,

The Governour commands the immediate Attendance of your Houſe in the Council Chamber, and that you bring with you ſuch Bills and Reſolves as are ready for his Aſſent.

Mr *Speaker* with the Houſe went up accordingly, and his Honour the Governour was pleaſed to give his Aſſent to the following publick and private Acts:

1. *An Act*[3] *for amending the Staple of Tobacco, and for preventing Frauds in his Majeſty's Cuſtoms.*

2. [4]*To prevent Frauds in the Drawback of the Duties on Liquors imported into this Colony.*

3. [5]*An Act for continuing the Act for appointing an Agent, and two other Acts therein mentioned.*

4. [6]*To revive and amend An Act entitled an Act for eſtabliſhing a Trade with the Indians in Alliance with his Majeſty, and alſo to amend one other Act for directing the Trutees of the Indian Factory of Virginia to ſell the Goods imported by them, and to pay the Money ariſing by ſuch Sale into the Treaſury for the Uſe of the Publick.*

5. [7]*For amending and declaring the Law concerning the Eſcape of Debtors out of the Priſon Rules, and for other Purpoſes therein mentioned.*

6. [8]*For appointing Commiſſioners to examine and ſtate the Accounts of the Militia lately ordered out into actual Service, and for other Purpoſes therein mentioned.*

To

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[1] Hening, VIII, p. 173.
[2] *Ibid.*, VIII, p. 173.
[3] *Ibid.*, VIII, p. 69.
[4] *Ibid.*, VIII, p. 112.
[5] *Ibid.*, VIII, p. 113.
[6] *Ibid.*, VIII, p. 114.
[7] *Ibid.*, VIII, p. 118.
[8] *Ibid.*, VIII, p. 124

7. [1]*To prevent the Practice of felling Perſons as Slaves that are not ſo, and for other Purpoſes therein mentioned.*

8. [2]*To amend the Act for the better Government of Servants and Slaves.*

9. [3]*For amending the Act entitled an Act for directing the Trial of Slaves committing Capital Crimes, and for the more effectual puniſhing Conſpiracies and Inſurrections of them, and for the better Government of Negroes, Mulattoes, and Indians, bond or free.*

10. [4]*To direct the Collection of the Land Tax in Arrear from Part of Culpeper County for the Year 1759, and for other Purpoſes therein mentioned.*

11. [5]*For exempting the Exporters of dreſſed Hides or Skins from the Payment of Duties for ſuch as had been before imported.*

12. [6]*To amend an Act for inſpecting Pork, Beef, Flower, Tar, Pitch, and Turpentine.*

13. [7]*To empower the Treaſurer to receive the Money due from the Province of Pennſylvania to this Colony.*

14. [8]*For the Sale of the uſeleſs military Stores in the Magazine in Williamſburg.*

15. [9]*For eſtabliſhing a Ferry from the Land of Thomas Shepherd, at Mecklenburg, in Frederick County, to Maryland.*

16. [10]*For increaſing the Rewards given for killing Wolves, to be paid by the reſpective Counties wherein the Services ſhall be performed.*

17. [11]*For clearing the great Falls of James River, the River Chickahominy, and the north Branch of James River.*

18. [12]*To repeal ſo much of the Act of Aſſembly made in the fourth Year of his preſent Majeſty's Reign, entitled an Act for appointing Commiſſioners to examine and ſtate the Accounts of the Militia lately ordered out into actual Service, and for other Purpoſes therein mentioned, as allows a Bounty of 40s. to every Perſon who will voluntarily engage in the Service of the Colony.*

19. [13]*For opening and clearing a Road through Swift Run Gap, over the Mountains in Auguſta.*

20. [14]*For enlarging the Juriſdiction of the Court of Huſtings in the Borough of Norfolk*

21. [15]*For making an equal Diviſion of a Donation of one Matthew Godfrey between the ſeveral Pariſhes of the County of Norfolk, for the Benefit of their Poor.*

58 22. *An Act*[16] *for repealing an Act paſſed in the former Part of this preſent Seſſion of Aſſembly entitled An Act for dividing the Pariſh of Truro, in the County of Fairfax, and for making a more equal Diviſion of the ſaid Pariſh.*

23. [17]*To veſt certain Lands whereof Rice Jones is ſeized in Fee Taille in the Hon. Richard Corbin, Eſq; in Fee Simple, and for ſettling Slaves to be annexed to other entailed Lands in Lieu thereof.*

24. [18]*To dock the Entail 1500 Acres of Land whereof Thomas Mann Randolph, Gent. is ſeized, and for ſettling other Lands in Lieu thereof to the ſame Purpoſes.*

25. [19]*To dock the Entail of certain Lands whereof John Gregg is ſeized, and for ſettling other Lands and Slaves to be purchaſed in Lieu thereof to the ſame Uſes.*

26. [20]*To dock the Entail of certain Lands whereof Harry Beverley, Gent. is ſeized, and for ſettling Slaves to be purchaſed in Lieu thereof to the ſame Uſes.*

27. [21]*To veſt certain Lands therein mentioned in James Hubard, and ſettling other Lands and Slaves in Lieu thereof.*

28. [22]*To veſt certain Lots in the City of Williamſburg in the Purchaſers thereof, and for other Purpoſes therein mentioned.*

29. [23]*To oblige Joſeph Rentfro, and others, to pay to the Treaſurer of this Colony the ſeveral Sums of Money therein mentioned.*

To

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[1] Hening, VIII, p. 133.
[2] *Ibid.*, VIII, p. 135.
[3] *Ibid.*, VIII, p. 137.
[4] *Ibid.*, VIII, p. 139.
[5] *Ibid.*, VIII, p. 142.
[6] *Ibid.*, VIII, p. 143.
[7] *Ibid.*, VIII, p. 145.
[8] *Ibid.*, VIII, p. 146.
[9] *Ibid.*, VIII, p. 146.
[10] *Ibid.*, VIII, p. 147.
[11] *Ibid.*, VIII, p. 148.
[12] *Ibid.*, VIII, p. 151.
[13] *Ibid.*, VIII, p. 152.
[14] *Ibid.*, VIII, p. 153.
[15] *Ibid.*, VIII, p. 154.
[16] *Ibid.*, VIII, p. 157.
[17] *Ibid.*, VIII, p. 159.
[18] *Ibid.*, VIII, p. 161.
[19] *Ibid.*, VIII, p. 163.
[20] *Ibid.*, VIII, p. 166.
[21] *Ibid.*, VIII, p. 168.
[22] *Ibid.*, VIII, p. 171.
[23] *Ibid.*, VIII, p. 172.

30. [1]*To oblige Thomas Proffer to reimburfe the Coſts of proſecuting an Information againſt him.*

31. [2]*For the Eaſe and Relief of the People by paying the Burgeſſes Wages in Money for the laſt and preſent Seſſions of Aſſembly.*

His Honour likewiſe gave his Aſſent to the following Reſolves.

1. That a Committee be appointed, to conſiſt of the following Perſons, viz. Peyton Randolph, George Wythe, John Randolph, Benjamin Waller, and Robert Carter Nicholas, Eſqrs. or any three or more of whom to be ſufficient to act, to collect the publick Acts of Aſſembly of Virginia which ſhall be in force at the End of this preſent Seſſion of Aſſembly, and to agree with ſome Perſon to make a proper Index to the ſame, and alſo to agree with a Printer for printing 1200 Copies, to be neatly bound in Books, with the Arms of Virginia ſtamped on each, and to deliver one to the Governour or Commander in Chief of this Dominion for the Time being, one to each of the Members of his Majeſty's Council, and the preſent Houſe of Burgeſſes, one to the Clerk of the General Aſſembly, one to the Clerk of the Houſe of Burgeſſes, one to the Clerk of the Secretary's Office, and one to each County Court Clerk for the Uſe of his County, and the reſt among the Juſtices of the ſeveral Counties, not being Burgeſſes, as the Treaſurer ſhall direct.

2. That the Sum of £388.13. 6 Halfpenny be paid to Benjamin Powell, for repairing the Publick Gaol.

3. That the Sum of £20 be allowed Thomas Brown, a wounded Soldier, for his preſent Relief, and that a further Sum of £5 per Annum be paid him during Life.

4. That the Sum of £50 be paid to Peter Pelham, for repairing the Organ in the City of Williamſburg.

5. That the ſeveral Sums therein mentioned be allowed to the Officers of the General Aſſembly.

And then his Honour was pleaſed to diſſolve the Aſſembly.

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[1] Hening, VIII, p. 173. [2] *Ibid.*, VIII, p. 187.

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